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New York

President:	Mr. Hain	(United Kingdom of Great Britain and Northern Ireland)
Members:	Argentina	Mr. Petrella
	Bahrain	Mr. Buallay
	Brazil	Mr. Fonseca
	Canada	Mr. Fowler
	China	Mr. Qin Huasun
	France	Mr. Dejammet
	Gabon	Mr. Dangue Réwaka
	Gambia	Mr. Jagne
	Malaysia	Mr. Hasmy
	Namibia	Mr. Andjaba
	Netherlands	Mr. van Walsum
	Russian Federation	Mr. Lavrov
	Slovenia	Mr. Žbogar
	United States of America	Mr. Holbrooke

Agenda

The situation concerning the Democratic Republic of the Congo

99-86759 (E)

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The meeting was called to order at 10.25 a.m.

Adoption of the agenda

The agenda was adopted.

The situation concerning the Democratic Republic of the Congo

The President: In accordance with the understanding reached in the Council's prior consultations, and in the absence of objection, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Bernard Miyet, Under-Secretary-General for Peacekeeping Operations.

There being no objection, it is so decided.

I invite Mr. Miyet to take a seat at the Council table.

The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

At this meeting the Council will hear a briefing by the Under-Secretary-General for Peacekeeping Operations on the situation concerning the Democratic Republic of the Congo.

I now give the floor to the Under-Secretary-General for Peacekeeping Operations, Mr. Bernard Miyet.

Mr. Miyet: I will start my presentation with the military and security situation in the Democratic Republic of the Congo. The military and security situation in the Democratic Republic of the Congo has seriously deteriorated since the Security Council was last briefed, on 18 November. A Democratic Republic of the Congo Government offensive launched from Mbandaka against territory controlled by the Movement for the Liberation of the Congo (MLC) in Equateur province has triggered an MLC counter-attack. On 2 December, MLC forces seized Basankusu, and fighting in the area appears to be continuing. The MLC has accused the Government of bombarding Makanza and Libanda with mortar fire and launching airborne attacks on Basankusu on 2, 3, 5 and 9 December. The MLC also alleges that the Government has concentrated a brigade in Lulonga with the aim of recapturing Basankusu.

At the same time, a group of about 700 Democratic Republic of the Congo-allied forces composed of Congolese, Zimbabwean and Namibian troops has been encircled at Ikela by the rebels and their allies and is running short of supplies. Agreement has been reached between the Congolese Rally for Democracy (RCD) (Goma) and the Zimbabwean forces that if military activity aimed at relieving the encirclement ceased and troops withdrew towards Boende, the RCD (Goma) would then allow forces present in Ikela to be resupplied with non-lethal supplies, to be verified by the Joint Military Commission (JMC). The United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) is working closely with the JMC on the implementation of this agreement.

Other clashes have taken place in the south-east of the country, and fears have arisen of a major attack on Bukavu and Uvira by the so-called negative forces which are not party to the Ceasefire Agreement. These include the former Rwandan Government forces and Interahamwe militia, as well as Burundi extremists.

As far as the deployment of United Nations personnel is concerned, on 11 December, Mr. Kamel Morjane of Tunisia, the new Special Representative of the Secretary-General for the Democratic Republic of the Congo, arrived in Kinshasa to assume his functions. Mr. Morjane met with President Kabila and the Foreign Minister of the Democratic Republic of the Congo, as well as with the United States Ambassador to the United Nations, Mr. Richard Holbrooke, during the latter's visit, and I am pleased to see him back here among us.

MONUC has currently deployed 62 of the 90 military liaison officers authorized under Security Council resolution 1258 (1999), of 6 August 1999. In addition to Kinshasa, the site of the United Nations advance military headquarters, they are located in the capitals of the belligerent States, in Addis Ababa and in Bujumbura.

Teams of military liaison officers have also been deployed in Goma, Kananga and Gbadolite following visits made to those locations by the technical survey team tasked with preparing for further deployments in the Democratic Republic of the Congo, and another deployment to Kindu is scheduled to take place this week. However, the RCD has yet to agree to the planned positioning of another team in Kisangani, insisting that the Government should first allow more MONUC deployments in the area they control.

Until MONUC is guaranteed the full security and freedom of movement it needs by both sides, it will not be able to complete its technical survey of the country or to station military liaison officers at the rear military headquarters of the parties, as stipulated by the Council. Until we have the information we need from the survey and from the military headquarters of the belligerents, we will not be in a position fully to assess the conditions of security, access and freedom of movement and cooperation on the part of the parties, or to develop a detailed and comprehensive concept of operations to submit to the Council, as called for in resolution 1279 (1999).

MONUC has also been assisting the JMC by deploying some of the regional joint military commissions, which have now been positioned in Lisala, Boende and Kabinda. Another team is scheduled to be placed in Kabalo. The regional joint military commissions are accompanied by teams of military observers of the Organization of African Unity (OAU).

In order to complete its survey of the country and the deployment of the remaining military liaison officers, MONUC — together with the JMC — has drawn up a jointly agreed list of locations that includes the rear military headquarters of the parties, as stipulated in resolution 1258 (1999). The JMC, in accordance with the role established for it in the Lusaka Ceasefire Agreement, will be responsible, in conjunction with MONUC, for obtaining the consent of the parties for these deployments.

(spoke in French)

I would now like to take up the conclusions of the meeting of the Joint Military Commission.

At its third session, which was held during the first week of December at Harare, the JMC took up the reports of four working groups — on the disengagement of forces, humanitarian assistance, disarmament and the withdrawal of forces from the Democratic Republic of the Congo. The JMC also agreed that the Zambian Government would have the task of leading a mediation group comprised of representatives from MONUC, the OAU, the Democratic Republic of the Congo and the RCD (Goma) to broker an agreement on the disengagement of forces around Ikela, as I previously indicated.

The next meeting of the JMC is scheduled to take place on 20 January 2000. In the meantime, the MONUC JMC support team will participate and assist in the establishment of a 24-hour JMC secretariat and operations room in Lusaka.

On 15 December 1999, the Secretary-General of the OAU, Mr. Salim Salim, announced that the representatives of the Government of Democratic Republic of the Congo and the three rebel groups, meeting in Addis Ababa, had agreed that the former President of the Republic of Botswana, Sir Ketumile Masire, should assume to role of the neutral facilitator for the inter-Congolese political negotiations. Mr. Salim said he would consult with the President of Botswana, Mr. Festus Mogae, and with Sir Ketumile, and that he remained confident that with this nomination it would be possible to meet the challenges confronting the country.

With regard to the humanitarian situation, heavy rains have caused numerous flooding problems in Kinshasa over the past two weeks. Twenty thousand persons are currently without shelter. A crisis committee headed by the Minister of Health is addressing immediate humanitarian needs. The threat of possible cholera outbreaks is currently being monitored by local authorities.

This situation has also resulted in food shortages in urban areas. The prices of some food staples have risen by more than 25 per cent in recent weeks. This has been made considerably worse by Government-imposed currency exchange controls, which have impeded imports, particularly the import of foodstuffs. In addition, the supply of foodstuffs has also been seriously affected in recent weeks by rebel activity in food-producing areas, a situation that has been compounded by the start of the rainy season. Humanitarian agencies themselves are currently having difficulties, particularly as a result of the effect of the currency control regime on their operating costs.

There has been in increase in the level of chronic malnutrition in the districts of Bas-Congo, in the west of the Democratic Republic of the Congo, in particular among children under the age of five years. The World Food Programme has announced that while access to war-affected populations has improved, humanitarian agencies still have difficulty in reaching the interior of the country. It has also stated that unless new funds are made available immediately, 350,000 people already living under very precarious conditions will have to struggle even more to survive.

With regard to the next stages, in resolution 1279 (1999) the Security Council requested the Secretary-General to report to it as soon as possible on the situation in the Democratic Republic of the Congo and to submit his recommendations on further deployment of United Nations personnel in the country and on their protection. The Council also requested the Secretary-General to take the administrative steps necessary for the equipping of up to 500 United Nations military observers, with a view to facilitating future rapid United Nations deployments as authorized by the Council.

In view of the difficulties we have faced — as I have said here — in gathering the necessary information to present a concept of operations, we are not at this point in a position to submit recommendations to the Security Council. We intend to submit a further report on the situation in the Democratic Republic of the Congo in mid-January, which, we anticipate, will contain options and recommendations based on the situation as at that time.

Let me remind members that thanks to the resolution adopted by the Security Council, the necessary administrative measures have already been taken to facilitate the future equipping of these 500 military observers.

In the meantime, action must be taken to check and reverse the degradation of the situation in the Democratic Republic of the Congo. Naturally, it is the parties themselves who bear the primary responsibility for taking this action. The recent agreement on the nomination of Sir Ketumile Masire of Botswana is to be welcomed. An early start to the national dialogue would be an important step towards the resolution of the conflict.

The Government and the parties should also reaffirm their full cooperation with MONUC in its efforts to implement the resolutions adopted by the Security Council. In this context, we believe that very strict adherence to the Lusaka Ceasefire Agreement is essential.

The success of the United Nations Mission in the Central African Republic in supporting the stability of the Central African Republic has given us a clear and positive indication of the role the United Nations can play in the creation and maintenance of conditions of security and stability in that country. It is our hope that action by the United Nations can have the same positive effect in the Democratic Republic of the Congo and thus contribute to a general improvement in regional stability and cooperation.

The President: I thank Mr. Miyet for his comprehensive briefing.

Mr. Holbrooke (United States of America): I wish to thank Mr. Miyet for his excellent opening statement. As he mentioned, I am just back from Africa, and I would like to reply based on what I observed, building on our excellent meeting of yesterday. I would like to try to observe yesterday's five-minute rule again and reserve the right to talk again later, because I believe that the most valuable conversation we could have this morning would be a real exchange of views on an issue which I believe will be as important for the future of the United Nations next year as Kosovo and East Timor were this year. I might add, based on considerable personal experience in Kosovo and East Timor, this one will be more complicated by far than East Timor and no less complicated than Kosovo.

With that as an opening remark, let me compliment Mr. Miyet on his briefing and address the concerns of many of my colleagues here in the Security Council on this issue.

In our trip, we were accompanied by Senator Feingold, the ranking Democrat on African affairs in the United States Senate. I mention that because, as members are aware, under our system of Government it is Congress that pays the bills, and under our system of Government we will need to have their approval for American contributions to any peacekeeping efforts. We have achieved that in Kosovo and East Timor with difficulty, and in Sierra Leone and the Central African Republic. We look forward to getting congressional approval next year for an action in the Congo.

But it is important, as I have said repeatedly, to get it right. We cannot repeat the tragedies of Bosnia, Somalia and Rwanda. In that sense, I strongly endorse the Under-Secretary-General's emphasis on Lusaka. Having been involved in a few peacekeeping negotiations myself and observed many others, I can say that the Lusaka Agreement is a really superb agreement. It is well-written and well-thought-out, and, most importantly, it was done by the parties themselves, under their own leadership in the region. This is a lot more than I can say for Bosnia or East Timor.

Having said that, I think we need to recognize that this agreement is being widely disregarded or even violated, and we are delighted at the nomination of President Masire as the facilitator. This was one of the

main efforts that I engaged in during my trip, and it is very gratifying that he has been offered the job. We deeply and profoundly hope that he will accept it and that movement in that direction will be rapid.

As I said in my speech in Pretoria, the United States would find it difficult to move forward in support of peacekeeping absent a facilitator to work on the political component, which is so critical.

On the Joint Military Commission (JMC), I want to state again that during our trip last week, we delivered $1 million to the Organization of African Unity (OAU) for the Joint Military Commission and had extended talks with General Lallali, who is in charge of that effort. We would like to repeat what was said so often yesterday — that the JMC, the OAU, the United Nations and MONUC must work more closely together.

The United States has been occasionally charged in recent days with dragging its feet on peacekeeping in the Congo. Let me state again, as I did quite openly to my friends here in the Security Council and to the leaders of the African States which I visited — and I spoke to every person who signed the Lusaka Agreement — that the statement that the United States is dragging its feet is true. We are dragging our feet right now, but not because we are opposed to peacekeeping in Congo. We are dragging our feet because we want a peacekeeping operation, and we want to get it right. We cannot afford an operation which is not right, and there are many things to sort out here.

The Under-Secretary-General a moment ago said he could not yet give us precision on the composition and structure of the peacekeeping force. We really need to know that, and with all due respect, I believe it is imperative that we have a more intense planning effort involving the Department of Peacekeeping Operations, the nations on the Security Council and other potential major troop contributors, and other countries that will be asked to contribute money. This is very complicated — much, much more complicated than Timor or even Kosovo, and once we start down this path, the relationship between the JMC and MONUC, or its successor, the relationship between the OAU and the United Nations, the command and control situation on the ground, the mandate, the size, the costs, the backup all need to be known. We should not vote a resolution until we know what we are voting for.

If members will bear with me a moment, I can assure them that such an approach — and this will be our major emphasis in January during the American presidency of the Security Council — will better enable us to gain international support for this process, domestic support in our own countries, and, in my particular case, support from the Congress of the United States.

I might add in that regard, and I can tell members this morning what many of them have already heard informally, that during the month of January we will be visited in New York for the first time ever by the Senate Foreign Relations Committee, led by Senator Helms and Senator Biden. They will come to New York, they will hold meetings and hearings of the Senate Foreign Relations Committee here in New York for the first time in history, and they will ask permission to come and visit with Council members individually and collectively. And because this issue — the Democratic Republic of the Congo — will be so high on the agenda, it will be a natural focus. So we have an opportunity to work together in the next six weeks on this critical issue.

I also want to mention the Southern African Development Community, which is playing a vitally important role; I did not mean to neglect it. But the organizational arrangements must be clearly worked out. I would like to reserve the opportunity to respond in more detail as this debate continues.

I am delighted that you, Mr. President, are still here, and that you have spent two full days with us. I hope that your schedule will permit you to rejoin us in January. Your personal involvement and leadership, together with that of Ambassador Greenstock, has been a signal contribution to the placing of an absolutely essential emphasis on Africa and on the Democratic Republic of the Congo, which this Organization is obligated to do.

The President: I will certainly allow interventions later on, provided that everybody ensures that I have the time to do so.

Mr. van Walsum (Netherlands): I would like to thank Under-Secretary-General Miyet and Ambassador Holbrooke for their statements. I wish to join Ambassador Holbrooke in reserving the right to intervene again later in the debate, in conformity with the interactive format that the British presidency has so fortunately introduced.

In yesterday's open debate on Africa, almost all delegations spoke about the Democratic Republic of the Congo. Some delegations, such as that of South Africa,

spoke about nothing else. Clearly, the overlapping theme of these two days of public Council debate is the implementation of the Lusaka Agreement, not by its signatories, but by the Security Council. If the Security Council fails to pass this litmus test, so we were told, it will once again have revealed its double standard. Yesterday, my delegation had hoped to put up some feeble defence against these strident words, but unfortunately there was no time for second statements. Today we are less pressed for time, so I may be allowed to use my turn in this debate to say a few words about this matter.

There appear to be two very different ways of looking at the Democratic Republic of the Congo. The first is to be baffled by the complexity of the conflict. Here we have a country with — even by African standards — has an exceptionally contorted past, from being the personal possession of Leopold II through decades of mismanagement under President Mobutu. Given that history, one can hardly be surprised that the Democratic Republic of the Congo is in such disarray today.

The second way of looking at the Democratic Republic of the Congo is to see a simple line of cause and effect between the Rwandan genocide and the present chaos in the Democratic Republic of the Congo. Those delegations in the Council that blame other delegations for dragging their feet tend to see it that way. For them, the situation is not complex, but simple; and for simple situations, they have simple remedies: all the Council has to do is to comply with the Lusaka Agreement and send in the troops.

My delegation does not believe in the second approach. We are unable to regard the situation in the Democratic Republic of the Congo as simple. It is true that many people in the eastern part of the country have no business being there, but these intruders form an inextricable mix of friends and enemies of the Government of Rwanda. The drafters of the Lusaka Agreement were aware of that: precisely because of the complexity of the situation, the Lusaka Agreement may well be the only viable solution. We agree with Ambassador Holbrooke that the Lusaka Agreement is a well-drafted accord, but we have also heard him say that just about every one of its provisions is being ignored or violated.

This is nothing new. On the first day that the Security Council discussed the Lusaka Agreement, we were already put under pressure with the argument that the Agreement would not last if we did not dispatch our peacekeepers right away. I vividly remember that day, because I expressed my doubt about the appropriateness of the qualification, "significant milestone", for an agreement that none of the rebels had yet been prepared to sign.

If the Lusaka Agreement is a litmus test, it is, first of all, one for the people who signed it. If the parties themselves do not fulfil their engagements, there is nothing the Council can do. In that sense, there was something disconcerting about yesterday's debate. What we witnessed in this Chamber was the emergence of the myth that it was the dilly-dallying of the Security Council that killed the Lusaka Agreement. We are not there yet. There is still hope, and we can proceed on the basis of a new resolution. But the Council has been given a stern warning. If my delegation had been given the floor a second time yesterday, we would have begged the African delegations not to delude themselves. Does anyone seriously believe that the Lusaka Agreement was being observed by all parties for the first three months of its existence, and only then began to unravel due to the Council's inaction?

As a representative of the Netherlands, I feel entitled to ask such questions. The Netherlands is anxious to do the right thing with regard to the Democratic Republic of the Congo, but it is not helpful if we are told that the situation is simple, and that considering it to be complex can only be a lame excuse for procrastination. That is not the sort of approach that helps us overcome our hesitation. Speaking for the Netherlands, I can only say that our commitment to Africa cannot be called into question. I do not want to waste the Council's time, but let me briefly repeat what I said yesterday. The Netherlands is spending large sums of money on Kosovo, but our significant total contribution to Africa has not been affected. Moreover, there has been no slackening in our commitment to African projects that are of special concern to the Security Council, such as our contributions to the Economic Community of West African States (ECOWAS) Monitoring Group (ECOMOG) in Sierra Leone and to the Arusha process in Burundi. There has not been any diversion in the flow of Dutch funds destined for Africa.

We feel that a country with our record should be seriously listened to when it tries to explain why it has certain doubts about a military involvement that is urged upon the Security Council. We are not procrastinating when we ask normal questions. In addition, however, there is a second reason why the Netherlands feels justified in being cautious, and that is its traumatic involvement in the tragedy of Srebrenica. The Secretary-

General's report on Srebrenica of 15 November contains a gruesome account of what can go wrong if military involvement is initiated without having been thought through, if peacekeeping operations are used as a substitute for political consensus and peacekeepers are told that they must use their peacekeeping tools to impose the ill-defined wishes of the international community on one or another of the belligerents by military means.

Let us not make that mistake twice.

The President: The Security Council may wish to know that I hope to conclude the debate by 12.25 p.m., because I have an appointment with the Secretary-General. But obviously we would like to have a full interactive discussion if possible.

Mr. Jagne (Gambia): My delegation would like to thank you and your delegation once again, Mr. President, for organizing this important meeting of the Security Council. The meeting on partnership with Africa, held yesterday under your presidency, was clear testimony of your Government's commitment to peace and stability in Africa. We commend you once again for these important initiatives. My delegation is also grateful to Mr. Miyet for his comprehensive briefing.

My delegation eagerly awaits the report of the technical survey team and the report of the Secretary-General on the future of United Nations deployments to the Democratic Republic of the Congo. It is a pity, though, that the technical survey team has been experiencing some difficulties in carrying out its tasks; consequently, the Secretariat cannot, for now, submit its recommendations. We hope that the team will very soon be allowed to continue its work. We note with satisfaction, however, that the Secretariat has taken the administrative measures to deploy the 500 military observers in due course.

My delegation is gratified to note that the Joint Military Commission (JMC) established by the parties to the Agreement is up and running. So is the political Committee. This is a good start, and we encourage the parties to continue their work. At this juncture, my delegation would like to place on record its sincere gratitude to the Government of the United States for its generous contribution to the JMC. We understand that those two institutions of the Lusaka Ceasefire Agreement will require financing if they are to function effectively. We are grateful to all those States that have provided financing or logistical support to the JMC, and we encourage others that can do so to help.

Notwithstanding the fact that the parties have signed a Ceasefire Agreement, the situation in the Democratic Republic of the Congo still constitutes a cause of grave concern. My delegation would like to take this opportunity to renew its call on all the parties to respect the Ceasefire Agreement and to use the JMC more effectively to deal with allegations of violations of the Ceasefire Agreement. But at the same time, we have to defeat the negative forces, the forces of evil and darkness. We would like to emphasize that the conflict in the Democratic Republic of the Congo cannot end without the full commitment and cooperation of all the parties concerned. While we hail them for the good judgement they have demonstrated by signing the Lusaka Agreement, we urge them to show greater political will and commitment to the Lusaka process. There can be no military solution to this fratricidal conflict. The parties should therefore work together in good faith and contribute positively to the smooth implementation of the Lusaka Agreement. That agreement is the most viable one for the restoration of peace in the Democratic Republic of the Congo and must therefore be implemented.

But we need to move fast in order to maintain the momentum that has been generated by the signing of the Agreement. The longer we wait, the more likely the Agreement is to unravel and fighting to resume. As with all fragile peace agreements, the longer one waits to take the necessary action to back the implementation of the agreement, the more likely it is to fall apart. The Lusaka Agreement is no exception. My delegation is of the view that we are taking too long in trying to get it right. It is important that we get it right, but we are taking too long in our planning; we are taking too long to get prepared. The time to act is now.

My delegation appreciates that there are problems which must be addressed by the parties; one example is the appointment of a facilitator. It is our responsibility to remind them of their obligation to solve these problems. Again, we commend the United States Government, and Ambassador Holbrooke in particular, for belling the cat in this regard and for Ambassador Holbrooke's timely visit to the region. We hope that former President Ketumile Masire of Botswana, who has now been identified by the parties as a potential facilitator, will accept that position so that we can move on.

My delegation believes that as we remind the parties of their obligations and of the need for commitment, we should equally remind ourselves of our own obligations

and should see to it that we measure up to them. The Security Council, we hope, will make good on its promises and act expeditiously with a view to deploying a fully fledged peacekeeping mission to the Democratic Republic of the Congo when the time is ripe. Half-hearted measures or an unduly delayed response will receive severest criticism from Member State. The horrors of Rwanda are a grim reminder, and must not be allowed to repeat themselves in the Democratic Republic of the Congo.

Not too long ago, President Chiluba of Zambia participated in a Security Council meeting similar to this one. One of his main contributions to the debate was to note the need for the Security Council to deploy peacekeeping troops to the Democratic Republic of the Congo as soon as possible. Yesterday, during our debate here on partnership with Africa, the Permanent Representative of South Africa told us that the litmus test of the Security Council's commitment to conflict resolution in Africa is the Democratic Republic of the Congo. It could not have been clearer.

We have seen how conflicts in other parts of the world have been addressed. We are not trying to draw parallels here, but let us face the facts. We are not asking the Council to do the impossible. We have seen resolutions for the deployment of a peacekeeping operation prepared and adopted within as few as two days. To ask for the same treatment might be seen as unrealistic, and we would accept simply that African issues, like all other issues, should be given the urgent, full and proper treatment they deserve. We have said so over and over again in the Council: approach all issues, irrespective of where the conflicts are, with the same zeal, with the same enthusiasm. My delegation has always said in the Council that a life in Angola or the Democratic Republic of the Congo or elsewhere in Africa is no less precious than a life in Kosovo or East Timor or elsewhere in another continent.

Nobody is saying that the situation in the Democratic Republic of the Congo is simple: nobody is saying that. All we are saying is that the situation is bad enough and that we should therefore act now to prevent the situation from worsening. That is all we are asking for. We hope we will not be misunderstood.

We need the Council's partnership; we need its support; we need its cooperation. We said this here yesterday, and we said it when we had our lunch together. We have been encouraged by the signs we are seeing in the Council. We have talked to some of our colleagues, other African representatives, who asked us as African members of the Council about the prospects for the Council resolving conflict situations in Africa. We told them that the trend is positive, and that we are hopeful. The signs are positive.

So, all we are asking of the Council is to make good on its promises. The whole of Africa is watching, and I am sure that the Council will not let us down.

The President: I thank the representative of the Gambia for the kind words he addressed to me.

Mr. Petrella (Argentina) (*spoke in Spanish*): We thank Mr. Miyet for his important presentation, and we thank Ambassador Holbrooke for sharing his impressions from his recent trip, which included the Democratic Republic of the Congo.

Unfortunately, the news is not very encouraging. Indeed, the ceasefire so laboriously crafted, and signed at Lusaka in July 1999, is violated with ever-greater frequency. And the United Nations technical survey team, responsible for assessing the security and safety situation on the ground with a view to defining the operational concept of a peacekeeping operation, has encountered serious difficulties of access and, as we understand it, will be unable to submit its report before the end of the year.

In our debate yesterday, we spoke of political will. The conflict in the Democratic Republic of the Congo is extremely complex and will not be resolved unless all parties concerned evince the political will to find a democratic, non-military resolution of the conflict. That said, we believe that the Security Council can continue to shoulder its responsibilities. Action in a situation such as that of the Democratic Republic of the Congo entails risks. We must also evaluate the risks of a resumption of generalized conflict. In yesterday's debate, we discussed a number of ideas that all deemed useful both for averting conflict and for preventing conflicts from worsening. Perhaps the Council's action could now be guided by some of those ideas.

We are convinced that the United Nations has a major role to play in dealing with this issue, and that its presence in the Democratic Republic of the Congo must be gradually strengthened. The multifunctional presence of the United Nations Observer Mission in the Democratic Republic of the Congo (MONUC) is the first step towards that goal. Specifically, it sends a political message of support from the Security Council of support

for the Lusaka process. Argentina is prepared to cast a positive eye over the report of the Secretary-General with a view to the deployment of up to 500 military observers and the establishment of a peacekeeping operation in the Democratic Republic of the Congo.

But a climate of relative security and the granting of appropriate guarantees for the security, access and freedom of movement of United Nations and associated personnel are essential aspects. We realize that it is unrealistic to demand absolute guarantees, but no one is willing to dispatch Blue Helmets into a hostile climate.

As we see it, the conflict in the Democratic Republic of the Congo has an external and an internal dimension. The former must take into account the legitimate security concerns of all States involved. At the same time, the solution arrived at must respect the territorial integrity and political independence of the Democratic Republic of the Congo. On the other hand, the internal dimension of the conflict cannot be side-stepped. What must be generated is an inclusive political climate open to all Congolese who believe in the values of democracy and a State based upon the rule of law. We must encourage the civil society to move gradually and prudently in the manifestation of its desire for greater participation. Only to the extent that we can make sustained progress on both these fronts, the internal and the external, will it be possible to arrive at a lasting and comprehensive solution. To that end, it is essential to have the firm commitment of all parties to the Lusaka Agreement.

Mr. Hasmy (Malaysia): My delegation would like to thank you, Mr. President, for convening this open briefing today on the situation in the Democratic Republic of the Congo. We would also like to express our appreciation to Under-Secretary-General Miyet for his briefing and updating on the subject. We are pleased that this open briefing, which follows closely the discussion that we had last Friday on the situation in Sierra Leone, is now becoming a regular feature of the work of the Council, demonstrating the increasing transparency of the Council, which is very much welcomed by the larger membership of the Organization.

Yesterday, the Council had a frank and fruitful exchange of views on the situation in Africa as a whole and on how best we could enhance the partnership between the United Nations and the Organization of African Unity in efforts to manage or prevent conflicts in Africa. We have noted that in virtually every intervention, particular reference was made to the situation in the Democratic Republic of the Congo and the importance of the Council's responding promptly and effectively to manage the conflict there. Indeed, the point was made that the Democratic Republic of the Congo would be the litmus test of the commitment of the Council to be engaged in African conflicts as a whole. Comparisons were made between the Council's hesitancy in responding to conflict situations in Africa, in the Democratic Republic of the Congo in particular, and the promptness of its response to other situations, such as in Kosovo and East Timor. It is time the Council addressed this issue by demonstrating its commitment and resolve to carry out its responsibility vis-à-vis the Democratic Republic of the Congo.

We have been reminded time and time again about the fragility of the Lusaka process, which, if not adequately supported by the international community and this Council in particular, might run the real risk of being unravelled. I am afraid that time may not be on our side, and we have been forewarned.

The situation in the Democratic Republic of the Congo presents the Organization with one of its most daunting challenges, given the nature and complexity of the conflict there, as well as the country's sheer size. We must therefore be prepared to mount a major peacekeeping mission in the Democratic Republic of the Congo, which could well be the biggest operation undertaken in the history of the Organization thus far. However, for it to be successful, the mission must be provided with all the necessary financial and logistical assistance from the international community. We cannot afford to have a failed mission in the Democratic Republic of the Congo.

It is in this connection that my delegation strongly supports early action on the part of the Council to deploy an observer mission to the Democratic Republic of the Congo as an important step in that direction. Council resolution 1279 (1999) sent a clear political message to the signatories of the Lusaka Ceasefire Agreement that the Council continues to be fully committed in assisting them in the implementation of the Agreement. More importantly, the resolution should enable the Secretariat to immediately begin preparations in anticipation of a possible deployment of a substantial United Nations observer force in early 2000. In this regard, we look forward to the assessment of the technical survey team, whose recommendations will have an important bearing on any decision regarding the eventual deployment of observers.

In conclusion, Mr. President, my delegation would like to reiterate once again its strong and continued support for a peaceful resolution of the conflict in the Democratic Republic of the Congo. We consider the Lusaka Peace Agreement process critical and crucial for the restoration of peace and stability in the Democratic Republic of the Congo and for the Great Lakes region as a whole. If peace is to take root, all the signatories to the Lusaka Agreement must comply with its provisions. Nothing short of this commitment will suffice. It is in this connection that my delegation notes with concern the recent ceasefire violations in some parts of the Democratic Republic of the Congo, which only serve to further jeopardize the still fragile situation there. We are equally concerned by the serious humanitarian situation precipitated by the ceasefire violations. It is imperative that the parties carry out their responsibilities under the Agreement to help the international community play its role in supporting the peace process effectively.

Malaysia warmly welcomes the decision of the Organization of African Unity to nominate former President Masire of Botswana as the mediator in the Democratic Republic of the Congo crisis. I would also like to take this opportunity to welcome the recent appointment of Mr. Kamel Morjane as the Secretary-General's Special Representative for the Democratic Republic of the Congo; he will be serving as the head of the United Nations presence in the subregion and will be assisting in the implementation of the Agreement. We wish him every success.

Mr. Fowler (Canada): I join others, Mr. President, in expressing pleasure at seeing you in the Chair again. I thank you deeply for your interest in the subjects we have been discussing over the last couple of days.

Canada is pleased to note that the Secretary-General's newly appointed Special Representative, Kamel Morjane, has recently arrived in Kinshasa and has taken up his vitally important duties there. We continue to be concerned by the major ceasefire violations by all sides in the Democratic Republic of the Congo. Such violations suggest to us that the security conditions required for the deployment of United Nations military observers do not yet exist. We would appreciate the Secretariat's views on how, in the immediate term, short of deploying additional personnel to the Democratic Republic of the Congo, the United Nations can further assist in the implementation of the Lusaka Agreement in the face of continuing fighting.

In the last few weeks, there have been two ground-breaking reports produced by the Secretary-General, one of course on Srebrenica a few weeks ago, the other only yesterday on Rwanda. I would very much agree with Peter van Walsum that both are very much relevant to the discussion we are having today and, indeed, to the discussion we had yesterday. Canada's Roméo Dallaire called desperately from Kigali for Council support in Rwanda to allow him to stop the genocide, and none came. Canadian troops were in the Srebrenica valley for a year before the Dutch troops replaced them, and as Deputy Minister of Defence, I had the nightmare of "What happened to the Dutch?" every day that our troops were in that situation. There are lessons here for us to absorb, and we had better begin coming to terms with those lessons. These are relevant issues, and we must consider them carefully.

Canada joins others in welcoming the Organization of African Unity's appointment of former President Masire as facilitator for the inter-Congolese dialogue. We join Council colleagues in urging all parties to commit themselves to this dialogue so that the process of reconciliation can begin in earnest. There can be no doubt that the conflict in the Democratic Republic of the Congo will not be resolved in the absence of a meaningful political dialogue among all Congolese. However, the Security Council should be prepared to further support the Ceasefire Agreement once the parties demonstrate a willingness to abide by their ceasefire commitments. Progress in these two areas — effective internal dialogue and effective ceasefire — will of course be mutually reinforcing.

As the fighting continues, the humanitarian crisis in the Democratic Republic of the Congo deepens. It is critical that the parties respect their ceasefire agreements and ensure the safe and unhindered access of humanitarian agencies to all areas of the country. Many areas of the country remain utterly inaccessible to humanitarian personnel due to the prevailing conditions of insecurity. All parties to the conflict have an obligation — an immediate obligation — to ensure the safety, security and freedom of movement of humanitarian personnel. They must ensure that safe and unhindered access to all affected populations is provided.

The President: I thank the representative of Canada for his kind words addressed to me.

Mr. Dejammet (France) (*spoke in French*): I think we have nothing to add to the picture of the situation

painted by Mr. Miyet. We know the situation is bleak. There have been ceasefire violations recently. Some time ago a report from the International Committee of the Red Cross described in very distressing terms the situation prevailing in the north-eastern part of the Democratic Republic of the Congo, where clashes between tribes over the occupation of land resulted in thousands of people being killed.

So we are more or less silent witnesses to a situation that we all know to be catastrophic, and we all know that it requires a response from the Council — an ongoing response, not just a few resolutions or debates from time to time. It should be a real, concrete effort.

At the same time, we as members of the Security Council, wish to be serious. We know that the decisions we take will be accompanied by risks to observers and to members of a peacekeeping operation. Of course, given this situation, how can one not understand the reaction of those who ask the Council to reflect and recall what has happened in other parts of the world, in Africa as well as in Europe. These past events explain why they, their Governments and their legislatures are asking for more reflection, and why they are calling on us to delve even deeper into all the facts of the situation before taking a decision.

I understand all this full well. I understand the explanations that have been offered in this connection by those representatives who are being accused of foot-dragging. Further, I think that these kinds of explanations, this rationale can also be applied to other situations and other resolutions. Certain countries might legitimately wish that further consideration be given to such other resolutions before they are voted on, given the doubts that one might have about whether they could actually be implemented. All such thinking seems normal to me.

However, we could also ask ourselves what we can do immediately in order to try — I will not say to take up the challenge, but to deal with the immediate dangers in the region, dangers that, I repeat, are leading to losses of human life.

First, we should urge the Secretariat to continue its efforts to produce a concept of operations. This was a point made by Mr. Miyet, and I believe that this is the simplest and most specific issue that we face. An explicit request to the Secretariat from the Council should lead the Secretariat, in conjunction with the Joint Military Commission (JMC) and the Organization of African Unity (OAU), to produce a report on a concept of operations that could be implemented in the Democratic Republic of the Congo. Mr. Miyet spoke about producing such a report in early January, and I think, given the current schedule, this is a very reasonable time-frame; in the meantime, we eagerly and impatiently await this report from the Secretariat on a concept of operations.

I think that such a report will truly enable the Security Council to shoulder its responsibilities in full knowledge of the facts. I hope the Council will act vigorously, because even if the situation is bleak, there are some encouraging signs. We can be pleased at the decision that was finally taken to appoint a very distinguished, highly respected and wise person — the former President of Botswana — as facilitator. I also think we have to welcome the arrival in Kinshasa of the Special Representative of the Secretary-General, Ambassador Morjane, who has an excellent reputation. We hope that he will be able to do some very solid work.

Simple actions might perhaps be taken to contribute to respect for the ceasefire. Given the current situation I would ask Mr. Miyet whether it might not already be possible for the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) to provide some military assistance to the Joint Military Commission by providing it with staff officers to help the Commission do its work.

I also wonder whether the JMC might not be able to provide reports to the Security Council on decisions that the Commission is taking. This relates to one of the requests made yesterday regarding better relations, better cooperation, between the OAU and the United Nations. I think that if the Security Council wants to become actively and genuinely involved in dealing with the crisis in the Democratic Republic of the Congo, it must have all the available information, so it is entitled to expect the JMC to provide some information, some reports. This would, in fact, respond to the wishes expressed for greater coordination between the regional organizations and the United Nations.

Once again, despite all the references that have been made to the complexity of the situation, I think we have to keep our heads and not lose all optimism. We can take heart in recalling similar situations. Certainly, three or four years ago the situation in the Democratic Republic of the Congo was less disturbing, given that fewer people were involved, but fundamentally the situation was extremely serious. There was a crisis.

France knows something about this, because we played a role in getting the United Nations to deal with the crisis in the Central African Republic. This was not easy. We came up against a lot of scepticism, a lot of the same reactions we are now hearing as regards the Democratic Republic of the Congo. We were told that we risked becoming involved in a "dubious enterprise".

Over time, we can see that the operation in Central African Republic was concluded — perhaps not successfully, but at least to our relative satisfaction. In this connection, all the countries that were to finance that operation might examine their consciences to find that they may have been responsible for certain arrears in relation to that operation as well.

And yet, the situation was not simple there. Let us take another example: Sierra Leone. That was not an easy situation. We all know that the Lomé Agreement was not respected. The danger is there, and yet the United Nations agreed to deploy a large peacekeeping operation of some 6,000 men, which proves that, in the final analysis, when we wish to do something, we take the decision to do it.

We hope that, with the actual deployment of that peacekeeping operation, we will be able to correct the situation in Sierra Leone. I say this to indicate that, despite the magnitude and gravity of the crisis, we must not lose hope. Let us remember some happier examples of situations in which the United Nations succeeded in Africa. Let us pin our resolve on the decision we adopted in resolution 1279 (1999) — which we have yet to implement — and on the information — which we hope will be accurate and rigorous — to be provided by the Secretariat in early January along with its concept for the operation.

I conclude by welcoming the programme of work proposed by the future President of the Security Council. It is a good programme and a heavy one that will require great assiduity and presence here on the part of the President. I believe, however, that the stakes are high enough that your example, Sir, will be followed and prove itself convincing.

The President: I thank the representative of France for his mention of setting an example.

Mr. Buallay (Bahrain) (*spoke in Arabic*): When the Council discussed yesterday the practical and pragmatic means of confronting African issues and problems, we had hoped to have an interactive dialogue in the form of an open discussion and an exchange of views between the presidency, the members of the Council and the other Members of the United Nations as a whole. Instead, we merely heard statements and speeches.

Many ideas and proposals were raised yesterday that might have been discussed. Yesterday, too, the situation in the Democratic Republic of the Congo was mentioned several times. Although that demonstrated the importance of this issue, we do not want it to monopolize the Security Council's attention for a certain period of time, only to be forgotten as just another conflict in Africa. That is no way to remedy the situation.

In this connection, my delegation has two main observations to make. First, after the signing of the Lusaka Ceasefire Agreement, the peace process seems to be progressing rather slowly although the major military battles have long since ceased. What is hindering the restoration of normalcy — including national reconciliation, the withdrawal of foreign forces and the return of refugees — to the Democratic Republic of the Congo? Why has this failed to happen?

Secondly, the United Nations is clearly reluctant to intervene appropriately to resolve this issue. The United Nations must be effectively present on the ground if the peace process is to continue and lasting peace is to be established in the Democratic Republic of the Congo. Yet, the current situation — which is one of neither peace nor war — is very dangerous. Should it persist, there is a strong likelihood that peace will fail and that war will break out once again. The conflicting forces remain in position and the combatants remain armed. We foresee that this situation, which remains suspended between heaven and earth, could become semi-permanent with the passage of time. Neighbouring Angola is a case in point.

My question is this. Why does the United Nations hesitate to intervene? We are aware that financial assistance is necessary to fund a United Nations peacekeeping mission, but do we or do we not establish such a mission in all its military and civilian aspects before we enter Kinshasa? Such reluctance will perpetuate the "no war no peace" situation not only in the Democratic Republic of the Congo, but also in Angola and Sierra Leone, along the borders between Eritrea and Ethiopia, as well as in Somalia and elsewhere. How long will the African continent — as represented by the Democratic Republic of the Congo and other hotbeds of tension — be victimized by the illicit arms trafficking on which it squanders its wealth of

diamonds, petroleum and other natural resources? The Democratic Republic of the Congo actually needs these resources for its social and economic development.

In brief, I have two questions for Mr. Miyet. First, why is the peace process based on the Lusaka agreements so slow? I would stress here that this situation is of great concern to us. Secondly, why is the United Nations so reluctant to engage in the intervention necessary to replace the current precarious peace with a solid la.ing one?

Mr. Qin Huasun (China) (*spoke in Chinese*): At the outset, I should like to thank you, Sir, for convening this open briefing on the Democratic Republic of the Congo. Our thanks also go to Under-Secretary-General Miyet for his briefing on the subject. We are confident that this meeting will help the Council to find solutions to the conflict in the Democratic Republic of the Congo.

Earlier, Ambassador Holbrooke briefed the Council on his trip to Africa. We welcome that trip, including his meetings with the parties to the conflict in the Democratic Republic of the Congo. Physical visits to the areas of conflict in Africa have enabled us not only to empathize more keenly with the sufferings and desires of the war-torn peoples on the ground, but also to collect more first-hand information and to hear divergent views from the parties directly involved. Of course, visits are not ends in themselves, but the means to strengthen our political will and efficiency in our efforts to solve African conflicts.

The conflict in the Democratic Republic of the Congo is one of the most serious problems plaguing Africa. The Lusaka accords were signed almost six months ago, but the peace process remains bogged down in difficulties. The United Nations and the Security Council have been quite slow in responding to the situation. At our open debate yesterday, several countries expressed criticism in that regard. The Council should rethink this problem as soon as possible. After all, it is never too late to make amends.

China welcomes the news that both the Government of the Democratic Republic of the Congo and the rebel group have accepted the former President of Botswana, Mr. Masira, as the Facilitator for the national political dialogues. We support the holding of such national political dialogues between the parties to the conflict in the Democratic Republic of the Congo as soon as possible.

However, we wish to emphasize that it is also an immediate priority for the Council and the United Nations to send in military observers and peacekeeping troops as soon as possible, because there can be effective monitoring and maintenance of the ceasefire only when a United Nations peacekeeping mission is deployed there. That will create a relatively stable climate and situation in which national political dialogue can be conducted smoothly and other elements of the Lusaka Agreement can be gradually implemented. Otherwise, nothing is possible.

We are very much in agreement with the views expressed yesterday by some representatives that the Council's ability to push through a settlement of the conflict in the Democratic Republic of the Congo with concrete actions would be the litmus test of the importance the Council attaches to African conflicts. In this connection, while we look forward to the smooth implementation of resolution 1279 (1999), and welcome the Secretariat's preparations for this purpose, we also expect — and this is more important — that Council members will be unanimous on taking concrete actions as soon as possible for the deployment of military observers in the Democratic Republic of the Congo.

Mr. Andjaba (Namibia): I wish to express Namibia's appreciation to you, Mr. President, for organizing this open briefing on the situation in the Democratic Republic of the Congo. We also wish to thank you for your presence in our meeting this morning. We thank Under-Secretary-General Miyet for the briefing, and we also wish to thank Ambassador Holbrooke for the information he provided to us following his recent trip to Africa. We sincerely hope that his visit to the region will bear fruitful results for the Democratic Republic of the Congo.

We welcome the appointment of the former President of Botswana, Sir Ketumile Joni Masira, as mediator for the national dialogue, as provided for under the Ceasefire Agreement on the Democratic Republic of the Congo. We commend the tireless efforts of the Secretary-General of the Organization of African Unity, which culminated in the appointment of a Facilitator acceptable to all Congolese parties. It is our hope that the necessary arrangements will now be made for the dialogue to take place without further delay.

We have all learned and have come to realize that UNITA could not have waged war against the Angolan people for such a long time without support from outside the country. The same experience will be repeated in the Congo, if we are not careful. Media reports indicate that investors from several countries are doing business with

the rebel movement, especially in the eastern part of the Democratic Republic of the Congo. These actions clearly violate the territorial integrity of the Democratic Republic of the Congo, and should be halted. The plundering and looting of Congolese natural resources, including the granting of diamond rights, cannot be allowed to go on unabated.

We have all acknowledged that the Democratic Republic of the Congo peace process is difficult and complicated. Ambassador Holbrooke reiterated that the Democratic Republic of the Congo is not less complicated than Kosovo. We Africans are not deluding ourselves. We are saying that, just as this Council has felt the urgent need to intervene in other, no less complicated, situations, it should also do so in the Democratic Republic of the Congo. Nobody is saying that the situation in the Democratic Republic of the Congo is easy. Nobody has said that. What we are saying is that the Council should assume its responsibilities in the Democratic Republic of the Congo, and here time is of the essence.

I agree with my colleague from Gambia, who made this point so eloquently. In fact, only last week, when Under-Secretary-General Prendergast briefed the Council on his trip to Burundi, he emphasized that the situation in Burundi and in the Great Lakes region in general is impacting the situation in the Democratic Republic of the Congo. So, as the Council addresses this question of the Democratic Republic of the Congo, we should not lose sight of what is happening around that country. As signatories to the Lusaka Ceasefire Agreement, all parties, in particular the rebel groups and their supporters, Namibia believes should carry out their commitment. Hence, I again reiterate here Namibia's commitment to the full implementation of the Ceasefire Agreement.

Let me make one point clear. We shall passively maintain our position in the Democratic Republic of the Congo, as we have done since the signing of the Ceasefire Agreement. However, we shall not offer ourselves as helpless targets when fired at by the rebels and those who support them.

On 12 December 1999, at the invitation of my President, President Sam Nujoma, a summit of heads of State of the Southern African Development Community (SADC) allied countries in the Democratic Republic of the Congo was held in Windhoek. We have made available to you, Mr. President, for Council members' information, a press release issued at the end of that summit. I will therefore only highlight a few points emanating from the summit.

The summit welcomed the appointment of the United Nations Secretary-General's Special Representative for the Democratic Republic of the Congo. It reviewed the current status of the implementation of the Ceasefire Agreement in the Democratic Republic of the Congo, and noted that significant progress had been made since its signing: the inauguration of the Joint Military Commission (JMC) and the deployment of the JMC observers in the Democratic Republic of the Congo in order to verify ceasefire implementation.

Furthermore, the summit reiterated the commitment of the SADC allied countries

> "to scrupulously observe the Ceasefire Agreement and speed up the peace process in the Democratic Republic of the Congo." (*S/1999/1251, annex*)

It also noted the ceasefire violations, particularly in the area of Ikela and Basankusu, by the Congolese Rally for Democracy (Goma) and the Movement for the Liberation of the Congo rebel groups.

It would be ideal if all parties to the conflict ceased hostilities. We will continue to reiterate our call for putting a halt to the fighting.

The question we should ask ourselves is whether the Congolese people should continue to be held hostage by those whose interests are materialistically based and who are at the core of plundering Congolese resources.

We welcome the deployment of regional joint military commissions inside the Democratic Republic of the Congo to assist in the implementation of the Ceasefire Agreement. We also welcome the deployment of Organization of African Unity (OAU) observers to the Democratic Republic of the Congo in the hope that the Security Council will soon take a decision to authorize the deployment of military observers to that country.

In this respect, we hope that such deployment will take place rapidly given the provisions of Security Council resolution 1279 (1999). We cannot emphasize this point enough. From our experience, it is unrealistic to expect a perfect peace in the Democratic Republic of the Congo or in any conflict situation before the Security Council takes action. The English say "The perfect is the

enemy of the good". If we wait for perfection in the Democratic Republic of the Congo, we will lose everything that has been achieved in the Lusaka peace process.

My South African colleague could not have been clearer yesterday. In fact, some of us have wondered whether it is because the Democratic Republic of the Congo is in Africa. Otherwise, why does the goal post always seem to be shifting? SADC, as a subregional organization, continues vigorously to work towards a peaceful resolution of the conflict.

I wish to take this opportunity to thank those Governments and organizations that have provided support for the Democratic Republic of the Congo peace process, and, in particular, those that have contributed to the requirements and funding of the Joint Military Commission. We encourage them to continue their support. Likewise, we call on others to give positive consideration to contributing to the United Nations and OAU trust funds.

The conflict in the Democratic Republic of the Congo has an external dimension to it. Even if this were not the case, the Security Council still has a responsibility towards that situation, and we look forward to the Secretary-General's report in January.

The President: I thank the representative of Namibia for his kind words expressed to me.

Mr. Fonseca (Brazil)(*spoke in Spanish*): First of all, I would like to express my appreciation to Under-Secretary-General Miyet for the briefing he presented to us and to Ambassador Holbrooke for the report on his visit to Africa.

As previous speakers have done, I would like to refer to the dialogue that took place yesterday involving the representative of South Africa and Ambassador Holbrooke. I come out of a somewhat more dialectical tradition than does Ambassador Peter van Walsum, so I believe that in certain political situations, when two sides are presenting contradictory arguments both can be right.

I believe that this is the case. I agree with Ambassador Andjaba that no one could make a firmer, more forceful and more eloquent presentation than the African call made yesterday by Ambassador Kumalo for a more significant United Nations presence in the Democratic Republic of the Congo.

I also think that what we want to specify here is that the call so eloquently presented is not an artificial one, it is not artificially contrived. We could imagine that the Lusaka Agreement could have done without the United Nations presence, because there are peace agreements in other parts of the world in which the United Nations do not have a role. If the call was so strong and clear, I believe that those who signed the Agreement were clearly aware that if the United Nations were absent from the Agreement, the Agreement would be more difficult to fulfil.

Therefore, the argument that can be made — and I believe previous speakers have made it — is that if a United Nations peacekeeping force had been put in place immediately after the signing of the Agreements, given all the difficulties and imperfections, as Ambassador Andjaba pointed out, perhaps today we would have a slightly different situation, because the presence of that force could have had a deterrent effect, and the violations of the Agreement might not have happened.

This kind of argument, which is called "contrafactual", is very useful in academic theses, but for resolving political problems, it is of somewhat limited value. At any rate, we should pay close attention to this element. This is not an artificial call. I believe, as my African colleagues have underscored, that the call is necessary in order for the accord to have the appropriate results — not merely to interrupt the crisis in the Democratic Republic of the Congo, but to have an impact on the whole region.

I think that Ambassador Holbrooke's argument is valid. We must deal with the problem of the Democratic Republic of the Congo with all necessary realism. Were the United Nations to fail in the Democratic Republic of the Congo, the consequences would go far beyond that country itself. The very authority of the Security Council would be adversely affected; therefore, I believe the Democratic Republic of the Congo is an important test for the United Nations. This is very clear, and there is no need to elaborate on it.

How do we reconcile two contradictory positions, both of which are right? It is not easy. I believe that my colleagues, especially my African colleagues, presented very clearly the need for the Security Council to act very, very swiftly. Ambassador Dejammet has drawn our attention to the need for a concept of operations to be developed in a very precise and clear-cut way. I believe that would be essential, with the support of other factors

that been pointed out, such as the appointment of the ex-President of Botswana to facilitate the dialogue. All these are positive elements that we must certainly take into account in seeking a solution of the problem.

I wish to conclude by saying that it is obvious that in this operation, we will have to have prudence and a sense of realism. I would simply like to say that we should not forget an adjective that was used over and over again in the discussions when we began to try to tackle the problem of the Democratic Republic of the Congo, and that is the adjective "robust". The strength of peacekeeping operations would have to be "robust", and I believe if we analyze all the consequences of that adjective and add "sent urgently", we could begin to solve the problem.

The President: I shall now make a statement in my capacity as representative of the United Kingdom.

I thank Mr. Miyet for his briefing, and I also thank Ambassador Holbrooke both for his contribution and for his generous remarks of praise about me. He may not be a son of Africa, but he is proving to be a good friend of Africa, and that is much appreciated.

The messages we have heard today are very sobering. Five months after the Lusaka signing, we are coming to a critical moment. There is a peace agreement, and institutions have been established to take forward its implementation. United Nations liaison officers and Organization of African Unity (OAU) observers are on the ground. The United Nations is making preparations and is planning for a peacekeeping force. I want to see it deployed as soon as it is feasible on the ground to do so — not a day before, and not a day after.

We need to recognize, as others have indicated, that the situation is deteriorating. The parties are not all complying with their commitments under Lusaka. The renewed fighting we are seeing threatens a return to full-scale war, and that is very worrying.

The Accord is fragile. But there is no alternative to the negotiated peace provided for by Lusaka. Everything rests on its successful implementation. The Security Council as a whole — and its members individually — must play their part in driving the process forward, both through political and diplomatic support, but also through practical assistance. I suggest we focus on six areas in particular.

First, we must insist that the parties — all of them — return to their Lusaka obligations. We need to keep on making clear, publicly and privately, that there is no alternative to the negotiated peace provided for by the Lusaka Agreement and I very much agree with Ambassador Holbrooke and others on that point. We need to be clear that without their support for Lusaka, the international community cannot help implement it. We need to be clear that the parties' support or otherwise for Lusaka will condition their own relationship with the international community. Similarly, outside support for parties who break the ceasefire must be publicized and condemned.

Secondly, we need to do all we can — individually and collectively to support the Lusaka framework through help to the mechanisms established to implement the Agreement. Britain has offered money to fund the Democratic Republic of the Congo national debate. British officers are deployed in the region as part of MONUC. I am pleased to tell the Security Council today that our Department for International Development has announced a further funding of £100,000 to the Joint Military Commission (JMC), in addition to the £50,000 we have already provided. With our strong support, the European Union has pledged to do all it can to help — for example, with up to 1.2 million euro for the JMC. We should continue to look at what more we can each do to help, and encourage others to follow suit.

Thirdly, we should support the deployment of an effective United Nations force to help implement Lusaka. We are ready to support a viable United Nations peacekeeping operation in the Democratic Republic of the Congo. But that can only be, and must be, an operation which helps the parties implement an agreement to which they themselves are committed. We cannot enforce compliance. There must be a clear ceasefire and withdrawal arrangements consent of all of the Governments concerned to a United Nations deployment and commitment to a viable political process on internal and external security issues, and adequate guarantees of security and freedom of movement for United Nations personnel, including a Security Council mandate providing the United Nations mission with the ability to protect itself on the basis of robust rules of engagement and adequate armament.

Any United Nations force deployed in the Democratic Republic of the Congo should, at a minimum, be capable of monitoring the ceasefire, of monitoring and verifying the withdrawal of all foreign

forces and of investigating reports of military activities by other armed groups. But the deployment of United Nations troops will not in itself guarantee peace and security for the Democratic Republic of the Congo and other countries in the region. They must bear the principal responsibility for their own future.

Fourthly, we need to move ahead in developing a plan for the successful disarmament, demobilization and reintegration (DDR) of the armed militia groups active in the region, whose presence is one of the key root causes of the conflict. DDR is critical for the successful implementation of the Lusaka Agreement and for lasting peace in the region. Without it, the Agreement will fail. Any successful DDR programme will require a political, not military, solution; commitment by all Governments concerned to end support for the ex-Rwandan Armed Forces (FAR)/Interahamwe and other armed groups; commitment by the Governments concerned to foster an environment which will enable all other militia personnel who accept DDR to return and restart their lives and commitment by the international community to monitor and assist this process; and sustained financial support. We urge the parties, through the JMC to continue to work to draw up a credible plan that will attract the levels of international support that we need to make implementation possible. This means working in close collaboration with the OAU and the United Nations, whose support and input will be vital.

Fifthly, we must address profiteering from and exploitation of the vast natural resources of the Democratic Republic of the Congo. These are being used by all sides to sustain the war. All parties must ensure that commercial dealings of this nature are legal under relevant domestic and international law, transparent, consistent with States' arrangements with the international financial institutions and benefit the people of the Democratic Republic of the Congo, not private individuals. We must be prepared to take action to close down illegal commerce.

Sixthly, we should sustain our support for an international conference on the Great Lakes to address the region's underlying problems. But this should only take place once the parties have implemented the main elements of Lusaka. The conference cannot be an alternative to the Lusaka Agreement.

Ultimately the only people who can bring peace to the region are the leaders of the region.

It has taken too long to choose a facilitator for the national dialogue. We very much welcome the appointment yesterday of former President Masire of Botswana. It is now important that all those concerned move swiftly and without preconditions to the start of that dialogue.

We hope too that the Political Committee established by the Lusaka Agreement will convene at an early date to discuss implementation. Without their engagement and input the ceasefire will fail.

These are our thoughts on the way forward for Lusaka. Africa needs our support to secure a lasting peace and stability in the Great Lakes region. We must do all we can to help deliver it.

I now resume my function as President of the Council.

Mr. Moungara-Moussotsi (Gabon) *(spoke in French):* Mr. President, my delegation would like to say again how grateful we are to your country for organizing this debate on the situation in Africa and specifically, today, on the situation in the Democratic Republic of the Congo. Your presence with us this morning eloquently reflects your country's enormous interest in the ills afflicting countries in Africa.

I should also like to thank Mr. Miyet for his statement and for the useful and detailed information he gave us. Also, like others, I would like to welcome progress made in the activities of the Joint Military Commission, given the resources available to it.

I welcome the appointment of former President Masire of Botswana as the facilitator for the inter-Congolese dialogue. It is a good choice. As we have seen, he has been accepted by all the parties. However, for the dialogue to occur in an appropriate atmosphere there are some basic requirements, and the disturbing reports about ceasefire violations hardly reassure us that the dialogue will begin soon in a way that can lead to national reconciliation.

As the situation is extremely fragile, the Security Council must act quickly to avoid a continuation of the vacuum — for which the Council has often been criticized — which could be exploited by the parties in order to resume hostilities on an even broader scale. After the investment of so much effort, and after so many debates, to achieve a negotiated, lasting settlement

of the situation in the Democratic Republic of the Congo, we think that is not what the Council wants to see happen.

We are aware of the difficulties, but remain convinced that with a firm commitment by everyone, including the parties themselves, we will be able to arrive at a settlement of the situation in the Democratic Republic of the Congo. We believe that the Security Council should focus on its will to settle the conflict rather than on the difficulties, of which we are all aware.

Someone rightly said here in the Chamber that it would not be realistic to want to obtain absolute security guarantees. We believe that is completely true. It has not been a requirement in other situations, and we see no reason why it should be in the case of the Democratic Republic of the Congo.

The Security Council has rightly always been concerned with human rights and the suffering of civilians in armed conflict. Taking swift action to resolve the situation in the Democratic Republic of the Congo could spare the Congolese people further suffering as a result of the fighting.

Africa can no longer be satisfied with words from the Security Council. It expects real, immediate action in the difficult situations it is experiencing, such as that in the Democratic Republic of the Congo, and has already waited too long since the signing of the Lusaka Agreement last July. The Security Council must shoulder its responsibilities. It would also be desirable to continue to exert pressure on the parties to ensure that they comply with their commitments under the Lusaka Agreement.

The President: With the Council's permission, I should like to suspend the meeting to enable me to keep my appointment with the Secretary-General. The Permanent Representative of the United Kingdom, Ambassador Greenstock, will resume the meeting immediately after my departure. I extend my apologies, but I would not want to curtail an interesting discussion.

I also thank members of the Security Council for their forbearance in my presiding over the Council and for their kind remarks. I certainly found it extremely interesting, and I feel that we are moving forward, both in terms of Africa policy and in terms of looking at how the Security Council might interact more informally, as we did yesterday and to some extent will be able to do today.

The meeting was suspended at 12.12 p.m. and resumed at 12.15 p.m.

Ms. Mernik (Slovenia): Our delegation thanks the Under-Secretary-General, Mr. Bernard Miyet, for his briefing on the situation in the Democratic Republic of the Congo.

Slovenia, as an outgoing elected member of the Security Council, is very pleased indeed that after a year and three months of ongoing armed conflict in the Democratic Republic of the Congo the Council members finally agreed to take, and have taken, the first concrete step in assisting the process of restoring peace in the country by approving resolution 1279 (1999) on 30 November, which authorizes the United Nations to begin preparations for the deployment of 500 military observers.

In this connection, the Slovenian delegation wishes to express once again its appreciation to Mr. Frederick Chiluba, the President of Zambia, for his work and efforts, which — through the diplomacy conducted at the level of African heads of State — resulted in the so-called Lusaka peace Agreement, which is a first major contribution towards peace in the country. The non-violation of its provisions will provide the basis for further United Nations assistance, which is undoubtedly needed. The Agreement should be implemented through effective cooperation with the Organization of African Unity and its Joint Military Commission.

During his briefing of the Security Council at its meeting on 21 September 1999, President Chiluba appealed to the United Nations for generous contributions and assistance in the normalization of the situation in the country. He requested the Council to provide support and to authorize the peacekeeping operation in the Democratic Republic of the Congo, an action that can be defined as one of short-term tasks to be completed in the nearest future, hopefully.

There are also long-term tasks that will have to be accomplished. One of them, as mentioned by President Chiluba on that occasion, is the process of internal Congolese dialogue, which will be facilitated by the former President of Botswana and which might need the adequate support of the Security Council — something that President Chiluba also requested on the same occasion at the open briefing in September.

On many previous occasions members of the Council have spoken of a regional conference to provide a solid framework for future cooperation in the region and for the achievement of irreversible, durable peace. Slovenia believes that the humanitarian needs of the Congolese people have to be met. The Council's help is needed in the mobilization of humanitarian assistance to refugees and internally displaced persons, the facilitation of their return and the protection of children, in particular child soldiers, is needed. But, furthermore, the investigation of the massacres that have taken place in the recent past is also one of the tasks related to the protection of human rights and will help in facilitating long-lasting peace. At a later stage, assistance from the international community as a whole in economic reconstruction and development will be needed.

Slovenia hopes that in the near future the Security Council — functioning and working in a new composition — will be completely successful in finding solutions to the problems in Africa today, the most challenging of which is the situation in the Democratic Republic of the Congo.

Mr. Lavrov (Russian Federation) (*spoke in Russian*): A great deal has been said already, and there is really little for me to add to the arguments that have been made today. We agree with what has been said and, indeed, we can understand our African colleagues when they emotionally and very convincingly speak about the need to take urgent decisions. We can also understand those delegations that see the need to establish the necessary conditions for that to be done.

But I believe that no one has denied the need for the parties to the Lusaka Agreement strictly to comply with the provisions therein. It seems to us that this is a very important element of the consensus that we are attempting to reach here in the Security Council.

I would recall, as my colleagues have, that Security Council resolution 1279 (1999) lays the foundation for the swift deployment in the Democratic Republic of the Congo of up to 500 United Nations military observers, who would require the necessary support elements. The Security Council thereby has clearly stated its willingness to proceed with this deployment, on the basis of subsequent recommendations from the Secretariat that would take account of the conclusions of the technical survey team currently in the area. We are deeply concerned at the fact that the technical team — through no fault of its own — has not been able to complete its work on time. But its conclusions and the relevant recommendations of the Secretary-General will, we trust, enable the Security Council to take the appropriate decision.

Right now I believe that there are two decisive factors: the willingness of the parties to the conflict to comply in good faith with their commitments, and their cooperation with the United Nations, primarily with respect to practical matters relating to the work of the technical survey team.

Many here have spoken about double standards, which, in view of the experience of Srebrenica and Somalia, is understandable. My delegation would not use the very tragic experience of Somalia and Srebrenica as a pretext. It would not be right if those two failures were to stand in the way of further United Nations peacekeeping operations. There are lessons we must learn, and one of them, particularly with respect to Somalia, is that when the Security Council authorizes an operation in the Democratic Republic of the Congo, it will be necessary to find countries that are willing to provide contingents. But it is not just a question of the security of the contingents and the need to minimize risks to the extent possible. We must also be sure that the contingents will be paid and that the costs of United Nations peacekeeping activities will be provided for.

We know that in the case of Somalia, the United Nations has not yet paid the troop-contributing countries, and there still remain outstanding debts related to the United Nations Operation in Somalia (UNOSOM). Just because Somalia was a mistake does not mean that one does not have to pay for one's mistakes. Incidentally, Russia has debts — arrears on the Somalia operation. But these are the only arrears that Russia has vis-à-vis the United Nations, and we are committed to paying them. About an hour ago, I gave the Secretary-General a check for $25 million in payment of our arrears under UNOSOM.

I say this because the question of financing United Nations peacekeeping operations is very closely related to the matter we are discussing today. It is necessary to bear this point in mind in dealing with the specific aspects of a future operation in the Congo.

I should like also like to support those who have drawn attention today to the particular importance of the swift organization of a national dialogue in the Democratic Republic of the Congo, as provided for in the Lusaka Agreement. We would very much like to see, as

soon as possible, concrete steps taken to organize that dialogue.

Finally, I would like once again to reaffirm Russia's support for the holding, under the auspices of the United Nations and the Organization of African Unity, of an international conference on peace and security in the Great Lakes region. Of course, a consensus among participating countries on the objective of such a conference would first be necessary. But it is clear to us that the agenda for such a conference could not be confined to the question of providing assistance in the rehabilitation of the region. We believe that it must have a very strong political component, which would make it possible to consider the key issues of the strengthening of peace and security in the region as a whole.

The President: Before coming back to Mr. Miyet to ask him to respond to the questions and comments raised, I would like to give the floor to those members of the Council to make a second intervention.

Mr. Holbrooke (United States of America): I will be brief, and I wish to comment on what I think has been another excellent discussion on three levels.

First, with respect to style, I am deeply impressed by the informality here. I think it is what the founding fathers of the United Nations — there were no founding mothers, I regret to say — had in mind, and I congratulate you, Mr. President, and your colleague from London for that.

Secondly, I am interested in what I think is an emerging consensus on most aspects of the problem here, and therefore I wish to focus on a point that I will return to repeatedly in the coming weeks, as will my colleagues. I think Ambassador Andjaba of Namibia put it very well in his characteristically eloquent and forceful statement. This goes to the question of what we are going to approve. Let it be clear for my Government — and, I believe, for every Government here — that there is going to be support for peacekeeping in the Democratic Republic of the Congo. There is no question about it. Everyone here is conscious of Rwanda, particularly on a day when the United Nations has courageously issued a report of self-criticism for the second time in a month, and I congratulate the Secretary-General and his colleagues for that candour and courage.

The issue therefore is not whether we are going to support peacekeeping in the Democratic Republic of the Congo. I repeat, it is not whether our country will support it — I believe the nation-States here are going to support it — it is not whether, it is when and how. I am very glad that Mr. Miyet is with us today, because I think that there is a general message here, certainly for my Government and, I believe, for many others, which is that we want to vote for the resolution, but we need to know what we are voting for: the mandate, the size and the costs.

There are many different ideas kicking around right now, and reasonably so; this is a very difficult problem. But I urge the Department of Peacekeeping Operations to continue the consultations it has been having with many Governments here, including our own. I have heard some Ambassadors represented here — as well as some of our colleagues who have not spoken but who are attending this meeting and have the deepest vested interest in this issue, because their countries are in Central Africa — express confusion as to what the project is. I hope that as a result of this meeting we will be able to accelerate, intensify and clarify what it is that we will be asked to approve. That requires a lot of staff work internally, and our Government is prepared to do that.

Again, Mr. President, I wish to express my very profound appreciation for what you have done. I know that you had all of this planned before. I said that January would be the month of Africa for the United States in the Security Council. I think you have effectively proved that December is also a month of Africa under your skilful and visionary presidency.

The President: I thank the representative of the United States for his kind words.

Mr. van Walsum (Netherlands): I can subscribe to just about everything that Ambassador Holbrooke said, especially his comments that it is not a question of whether we support peacekeeping, but when and how. That is precisely the position of the Netherlands, too.

Just for the record, I would like to add two observations. First, I have not yet mentioned the fact that the Netherlands, too, is greatly pleased by the fact that former President Masire has accepted the job, and has been accepted, as facilitator in the Democratic Republic of the Congo.

Finally, I would like to mention the fact that the Netherlands has made approximately $200,000 available to the Organization of African Unity for the Joint Military Commission. There is no conditionality involved here, but, when Mr. Miyet said that the next meeting of

the Joint Military Commission would take place on 20 January, it occurred to me that it might be conceivable to ask it to step up the frequency of its meetings a little.

Mr. Dejammet (France) (*spoke in French*): I, too, endorse the comments of the representative of the United States in asking the Secretariat, like so many others, to do what it envisaged. That is not a reminder for Mr. Miyet; it simply means that we are interested in his soon-to-be-issued conclusions on the concept of operations and his clarifications. I like that word, "clarifications". It fits with the objective of having the kind of operation that is capable of being implemented. In our view, as the Council knows, it should also be applied to other United Nations endeavours with regard to other delicate situations in other regions of the world.

A consensus has been emerging with respect to the desirability and the possibility of mounting a peacekeeping operation — I believe that now it is clear that there is a consensus — and on the urgent desire of all of us to move ahead swiftly. In addition to that consensus, it seems to me that another idea has received vigorous backing — the idea of an international conference on the Great Lakes to be jointly sponsored by the Organization of African Unity and the United Nations.

In this regard, I listened carefully to the conclusions of the President of the Council and to the comments that were made by the representative of the Russian Federation. That is important, because, at the outset, support for this idea did not have so much conviction. It is well known that at some stage we will have to bring the leaders of these countries around the table to speak about their problems — issues of border security and the protection of minorities, which are interrelated. Otherwise, the sources of conflict and discord will remain.

We believe that such an international conference must also be an overarching objective in the work of our Council. In this regard, I would like ask the representative of the Secretariat to invite the next President of the Council, who will have a great deal of work to do next month and will have to evince his continued interest in the subject, to call for consideration of the subject of an international conference. We will have to ensure that during that upcoming presidency, building on the work done this month under the presidency of the United Kingdom, the Security Council will manage to make tangible progress on the ground and undertake a genuine diplomatic enterprise leading to an overall political and diplomatic settlement of the problem.

I believe that it would be a positive development if, through the various open debates that are envisaged under the presidency of the United States, the idea of holding an international conference on the Great Lakes were given real impetus. That will mean work in the future for other Presidents, because the discussion of Africa will not be limited to one month. There will be no need for statements to the press. I believe that the issue of Africa, like other issues that are capable of giving rise to crises, must be considered by the Council on a permanent basis. It must be on the agenda of Council in February, March and April. These issues and questions will remain on the agenda of the Council. I very much hope that the objective of convening an international conference will begin to take shape under the upcoming presidency of the United States.

The President: I now give the floor to Mr. Miyet to respond to the comments and questions that have been raised.

Mr. Miyet (*spoke in French*): Before dealing with the many questions relating to the Joint Military Commission (JMC), I shall respond to two general questions. I shall try not to be evasive in responding to the representative of Bahrain. He asked why progress in the Lusaka process was so slow, particularly at the political level. Was that question addressed to the Secretariat or to the parties? That is the question that I wish to throw back at him. He also asked why the United Nations was so reticent. Was that question addressed to the Secretariat or to the Council itself? Those questions can be asked in relation to our discussion today.

With regard to the Secretariat, I shall respond by making three points. First, the Secretary-General, who was here yesterday, repeated that he was firmly committed to the whole of the African continent and to ensuring that the United Nations is present there and plays its part. That is a full and complete commitment. A plan has been proposed for a three-phase operation following the signing of the Lusaka Agreement, and we are trying to implement that three-phase plan. A number of elements are the responsibility of the Secretariat itself, while others are dependent on the situation on the ground or on the means provided by the Security Council. However, sometimes we have the feeling of being ahead, and sometimes we are criticized for moving too fast, as happened when we dispatched the military liaison officers.

We hope that during the course of phase two, we will have additional information on the 500 military observers. How will they be deployed and in what conditions on the ground? What kind of logistical means and protection will they have? Will the technical team on the ground be able to provide us with information? We cannot get the information by reading a crystal ball. This is one important element that we are working on constantly. As the Council knows, the technical assessment team has been in Kinshasa for several months now. We are making every effort in the hope that it will soon be deployed and, fortunately, we are now working with the Joint Military Commission so as to be able to complete that work.

The second aspect of our commitment and resolve relates to the support provided to the Joint Military Commission. Here, I am responding to Ambassador Dejammet. I would remind him that we already have four officers in Lusaka providing support to the Joint Military Commission. From the beginning, we hoped that the Joint Military Commission would have a permanent secretariat by 20 December. Here again, the United Nations is doing its utmost to support and facilitate its establishment.

And here, France made a welcome financial contribution, for which I am grateful; thanks to a United Nations aeroplane, we were able to help in the deployment of the OAU military liaison officers to a number of sites in eastern Congo. So we have been active, and, with a sense of serious-mindedness, will continue to be active.

The second part of my response relates to our need for all necessary resources. We are constantly aware of the need for the greatest seriousness, responsibility and clear-mindedness, something that a number of delegations have mentioned. Some have spoken of past tragedies the United Nations has faced; two recent reports are reminders of these. As members know, the Secretary-General and his team in my Department are fully aware of the need to operate with maximal security, but without setting preconditions that would make any operation completely impossible.

Our aim is to implement the phases of the plan as quickly as possible so that we can play a positive part and can have the needed influence on the parties, with a view to giving the peace process every chance of success. We want to do this credibly; some have referred to "robustness" and to the force's deterrent power. We have these matters in mind.

I believe that Ambassador Holbrooke used the word "confusion"; let me respond by saying that there is no confusion. There are three phases, and each phase must be envisaged in terms of the resources it needs. Phase two involves 500 observers, and it goes without saying that protecting them, deploying them and ensuring communication and freedom of movement for them — all with the necessary resources — are important to us. That is what we are working on at present.

Let me return to Ambassador Lavrov's comment, which I think is absolutely fundamental. These observers must be deployed in a context in which they have the resources they need. Here, one test is that we must know whether or not the Security Council will provide full financial support and whether or not the troops, logistics, communications and engineering will be made available to the Secretary-General so that the mission can be deployed on the ground. It is not a question solely of taking a decision; it is a question of having the necessary resources, including the troops and equipment needed for an operation of this kind.

In that connection, we welcome the recent Security Council resolution that enables us to begin the procurement of equipment. A draft budget of $31 million, plus $500,000 for humanitarian assistance, has been submitted to the Advisory Committee on Administrative and Budgetary Questions to enable us to move ahead.

Returning to the Joint Military Commission, this is one of the keys to the success of the operation. We must know with certainty the nature of the determination, will and purpose of the parties, and the JMC can be a mechanism for addressing any difficulties that might arise. It is therefore absolutely essential to establish a permanent structure that would cooperate closely with the United Nations so that we can understand the intentions of the parties and so that the parties can in turn understand the intentions of the United Nations and its capabilities and modalities for action. This was mentioned by the representative of the Netherlands, and it is of importance to us. That is why the links between the Organization of African Unity (OAU) and the United Nations are so important.

Ambassador Dejammet asked whether the Joint Military Commission could make its reports available. The JMC does not answer to MONUC; it answers to the OAU. We shall approach the OAU for permission to

make the reports available, and for our part we feel that this would be a welcome development.

A third element of my response relates to the Secretariat's unambiguous determination to move forward quickly. As far as we are concerned, being serious-minded does not mean being slow. We are proceeding at a certain pace; as I have said, we have on occasion been criticized for moving too fast. At one point, this gave rise to some uncertainty, some questions and some doubts in the minds of the parties themselves. We want to maintain our present pace, bering in mind the constant need for complete transparency and for the full cooperation of the parties, *inter alia* within the Joint Military Commission.

As to the proposals to be submitted to the Council early in January 2000, this is clearly a process that is still under way. If we already had all the final elements of the concept of operations, members of the Council would obviously have these before them. This is related to the decisions of the Joint Military Commission; these decisions, especially the most recent, have been useful from this standpoint. We also must have a very clear idea of the needs on the ground; here, the conclusions of the technical survey team will be most useful. Further, the three phases of the operation must be integrated into an evolving process. In our view, phase two cannot be regarded as an end in itself; it is a phase that should give rise to the development of phase three, which will be a broader peacekeeping operation taking us to the very conclusion of the process that began at Lusaka: the withdrawal of forces.

Here in New York and in consultation with our representatives on the ground, our thinking has evolved over the past few weeks, and it could continue to evolve. We want in any event to cooperate with the parties and discuss all these matters with them, and also with members of the Security Council and with troop contributors, which will all have something to say. But for our part, the result of this process will be what we regard as reasonable for carrying out the mission, for ensuring the safety of our troops and for trying to provide security. It will not be a compromise — of necessity a feeble compromise — that would seek to satisfy other demands.

The President: I thank Mr. Miyet for the answers and clarifications he provided in that very comprehensive further statement.

I should like now, in my capacity as President of the Council, to draw some brief and informal conclusions from this meeting for the Council's consideration in its later consultations. The debates of yesterday and today have left one very clear message: the Democratic Republic of the Congo is the major challenge facing Africa, the United Nations and the international community as a whole at the end of this century. One in five African States are involved in the conflict; a vast region of Africa is affected; and the stability and future development of the region are at stake.

Expectations of the international community are correspondingly high. The Lusaka Agreement, brokered by the region with the involvement of the United Nations and the Organization of African Unity, is predicated on major international support, without which it cannot succeed. It is clearly the view of the Security Council that there is no alternative to Lusaka. It is a good Agreement. As Ambassador Holbrooke and others have made clear, it addresses the key issues at the heart of this conflict, the foreign military presence on the territory of the Democratic Republic of the Congo, the dangers posed to the Democratic Republic of the Congo's neighbours by armed groups and the urgent need for a national dialogue to work towards a more inclusive and representative political system in the Democratic Republic of the Congo.

The need for the international community to act quickly to help implement the Agreement through, *inter alia*, further United Nations deployment in the Democratic Republic of the Congo has been widely stressed here today. So has the urgency of building on the steps we have already taken to facilitate the speedy deployment of observers and their support elements through resolution 1279 (1999). The Council will have taken these points to heart.

The point has also been strongly made that the parties must show their determination to meet their commitments before it would be right or sensible for the United Nations to deploy more widely. These commitments include, first, the ending of ceasefire violations and agreeing on workable withdrawal arrangements, most particularly through an effective Joint Military Commission (JMC); secondly, full consent by all the parties to a United Nations presence including assurances of security and cooperation; thirdly, the commencement of meaningful national dialogue in the Democratic Republic of the Congo under an agreed facilitator; and fourthly, progress on tackling the external security issues, including realistic proposals for the

disarmament, demobilization and peaceful reintegration of armed groups.

So, the clear message from today's discussion has been that the Security Council and the Secretariat must stand ready to do their part in the Democratic Republic of the Congo and not shirk this enormous challenge. But in practice they can only do so as part of a credible peace agreement and a wider process in which we all — international community and regional players — have key roles to fulfil and resources to contribute. This may in due course lead up to an international conference on the Great Lakes. All those with responsibilities in the Democratic Republic of the Congo under the Lusaka Agreement must take them up urgently. The Security Council will in parallel act as effectively and rapidly as it can. The Council must return to this subject soon, analyzing and acting on the import of this debate. It is welcome that the next presidency of the Council is planning in that sense.

There are no other speakers inscribed on my list. The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 12.55 p.m.

United Nations S/PV.4084

Security Council
Fifty-fourth Year

Provisional

4084th Meeting
Friday, 17 December 1999, 10.45 a.m.
New York

President:	Sir Jeremy Greenstock	(United Kingdom of Great Britain and Northern Ireland)
Members:	Argentina	Ms. Ramírez
	Bahrain	Mr. Buallay
	Brazil	Mr. Fonseca
	Canada	Mr. Fowler
	China	Mr. Qin Huasun
	France	Mr. Dejammet
	Gabon	Mr. Dangue Réwaka
	Gambia	Mr. Jagne
	Malaysia	Mr. Hasmy
	Namibia	Mr. Andjaba
	Netherlands	Mr. van Walsum
	Russian Federation	Mr. Lavrov
	Slovenia	Mr. Türk
	United States of America	Mr. Holbrooke

Agenda

The situation between Iraq and Kuwait

99-86771 (E)

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-178.

The meeting was called to order at 10.50 a.m.

Adoption of the agenda

The agenda was adopted.

The situation between Iraq and Kuwait

The President: I should like to inform the Council that I have received a letter from the representative of Kuwait, in which he requests to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the discussion, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Abulhasan (Kuwait) took a seat at the Council table.

The President: The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the council have before them document S/1999/1232, which contains the text of a draft resolution submitted by the United Kingdom of Great Britain and Northern Ireland.

I give the floor to the representative of Kuwait.

Mr. Abulhasan (Kuwait) (*spoke in Arabic*): I should like at the outset to express to you, Mr. President, and to your friendly country, the United Kingdom, our appreciation for your great and outstanding efforts to ensure the effectiveness of the Security Council with regard to one of the most important, sensitive and complex international issues. My delegation would also like to thank Ambassador Danilo Türk, Permanent Representative of Slovenia, for the efficient manner in which he presided over the work of the Security Council last month.

I feel it is my duty to express my gratitude, on behalf of the State of Kuwait, to this body for the work it has been intensively undertaking over the past nine months in attempting to find the best way of alleviating the suffering of the Iraqi people and of guaranteeing full implementation by Iraq of all the relevant Security Council resolutions.

My delegation believes that the tremendous efforts made by the Council on this issue provide important and strong proof that it is eager to fulfil its responsibilities under the Charter and to safeguard the implementation of its resolutions meticulously and properly. There is no doubt that this most important draft resolution before the Council today is aimed at maintaining the foundations of stability and security, not just in the Arab Gulf region, but also in the Middle East as a whole and, indeed, in the rest of the world. We believe that global security and stability are closely linked. This is particularly true when stability and security are threatened not merely by the acquisition of weapons of mass destruction, or by the attempt to acquire them, but also by the threat to use such weapons against neighbouring countries.

My country, Kuwait, has direct concerns regarding the draft resolution under consideration. It is therefore appropriate for us to review our concerns in this regard, and I should like briefly to highlight them. First, Kuwait fully endorses the content of paragraphs 13 and 14 of part B of the draft resolution, which address one of the most pressing humanitarian issues before us, namely, Kuwaiti prisoners of war and detainees, and third-country nationals held in Iraqi prisons. The report of the third of the three panels working on this issue stated clearly that the Government of Iraq is responsible for the continued suffering because of its failure to resolve this matter and its denial of the existence of such prisoners of war, as well as its failure to give details of their fate over the past nine years.

The Government of Iraq has, for its own purposes, exploited the preoccupations of the Security Council with the issues of disarmament and the suffering of the Iraqi people by procrastinating and failing to cooperate with the Tripartite Commission and its Technical Subcommittee, which were established by an agreement signed by Iraq in 1991. By suspending its participation in the work of those two bodies last January, Iraq has shown that it is not serious about resolving this humanitarian issue, thereby disregarding the humanitarian dimension. Kuwait therefore hopes that the Security Council will pursue this issue with the same vigour that it has shown in addressing the humanitarian suffering of the Iraqi people.

If the draft resolution is adopted today, we look forward to seeing the Security Council rapidly take the necessary measures to begin implementing its various provisions. We also wish the Secretary-General every success in appointing an eminent international

personality, known for his experience, skill and neutrality, to continue to discuss the issue of Kuwaiti prisoners of war and to report any developments to the Council, which is the body responsible for follow-up, in accordance with all the relevant resolutions. This matter cannot be delayed further.

Secondly, the State of Kuwait attaches great importance to the restitution of Kuwaiti property stolen by the Iraqi regime during its occupation of Kuwait. It considers such property to be of great significance, as it includes State archives containing documents belonging to the most important executive Government agencies. During deliberations on this issue, members of the Council referred to these archives as "the memory of the State", because they represent an accurate record of the history of Kuwait. That is in addition to the military equipment that is central to Kuwait's security and that Iraq is now using for its own military purposes. We reiterate that it is imperative that Iraq abide by Security Council resolutions calling for the return of all this stolen property, particularly property for which no cash compensation is possible as it is simply priceless.

Thirdly, Iraq's possession of weapons of mass destruction adds to my country's concerns, because Kuwait suspects and fears that Iraq's intentions are not peaceful and because Iraq has not disclosed its stockpiles of such weapons. The impact of those weapons on the peoples of the region increases the risks we face and poses a threat to security and stability, especially as we recall a bitter experience witnessed by the world in recent years: the Iraqi regime's use of those lethal weapons against its own people. That country would thus not hesitate to use them against the peoples of neighbouring countries.

In that context, Kuwait supports strict and meticulous compliance with the draft resolution that is before the Council today, should it be adopted, and with all other relevant Security Council resolutions aimed at removing Iraq's weapons of mass destruction, and the means for their manufacture and for research into their development. That is a necessary and effective step towards attaining the goal of a Middle East region free from weapons of mass destruction and towards bringing about international stability.

Fourthly, Kuwait fully supports the provisions of part C of draft resolution S/1999/1232 relating to the humanitarian situation in Iraq, on the basis of its complete empathy with the fraternal people of Iraq in its suffering, the persistence of which is the sole responsibility of the Government of Iraq. We believe that new measures adopted by the Council to improve and promote the oil for food programme would, if Iraq fully complied with them, alleviate the suffering of the Iraqi people. We in Kuwait are doing our utmost to provide humanitarian assistance to any Iraqis we can reach.

Fifthly, Kuwait sincerely hopes that the Government of Iraq will respond positively to the draft resolution, should it be adopted, and that it will cooperate with the United Nations in implementing it. Cooperation in good faith by Iraq will help dissipate the atmosphere of distrust that prevails in Kuwait in particular, and in the region as a whole. The Iraqi Government continues to show that its intentions are not peaceful, both by not complying with the relevant Security Council resolutions and by repeated official statements by high-ranking Iraqi Government officials. This makes it clear to us that the Iraqi Government still feels no guilt about its cardinal sin of invading Kuwait and violating its sanctity, sovereignty and independence through the 2 August 1990 occupation.

A striking example of this is the comment made by the Iraqi Vice-President, Taha Yasin Ramadan, in an interview aired on Moroccan television's Channel Two. On the "Special Guest" programme broadcast on Wednesday, 17 November 1999, Mr. Ramadan responded as follows to the question of whether Iraq regretted its invasion of Kuwait,

> "No, never. We have no regrets over confronting aggression. The aggression against Iraq is too obvious. I think this has become even more obvious in the wake of the disclosure of the many schemes devised by the United States against Iraq and against the Iraqi leadership. We discovered this through the plots contrived by the United States, which are known to the Iraqi leadership. We continue to be faithful to our leadership because we believe that it reflects the collective conscience of our nation. In times of crisis, our Arab people has clearly expressed its support of these goals — not the goals of aggression, and not those leaders who do not shoulder their responsibilities."

Against that backdrop, I think the Council can understand the legitimate concerns of Kuwait and other States in the Arabian Gulf area. We cannot feel comfortable in the face of such explicit pronouncements and of the open acknowledgment by Iraqi leaders that they have no sense of remorse — which is the first step towards repentance. Our main concern is that the

Government of Iraq will persist in its current practices and policies of prevarication and selectivity in their compliance with Security Council resolutions. That would return our entire region to the vortex of crisis and instability.

All the concerns I have mentioned today are covered in the draft resolution before the Council. They are also priority matters for the members of the Gulf Cooperation Council (GCC), as clearly indicated by Their Majesties and Their Highnesses the leaders of the GCC countries at their summit meeting, held two weeks ago at Riyadh, Saudi Arabia. The Final Declaration of the summit called, *inter alia*, for the following: first, Iraq must implement all relevant Security Council resolutions, especially those relating to the release of Kuwaiti and third-country prisoners and the return of stolen Kuwaiti property; secondly, Iraq must demonstrate its peaceful intentions towards its neighbours and acknowledge that its invasion of Kuwait was a breach of Arab and international legal conventions; and thirdly, Iraq must support all initiatives aimed at easing the suffering of the Iraqi people.

Kuwait fully subscribes to the contents of the Final Declaration of the GCC summit; they are in line with the concerns of the Security Council as reflected in the draft resolution before it today.

If the Security Council adopts this draft resolution under Chapter VII of the Charter, it will thus become a legally binding instrument that acquires its legal force from the provisions of the Charter itself. Therefore, it must be strictly implemented by the Government of Iraq, on the one hand, and by members of the Security Council, on the other. I would like to refer in particular to the permanent members of the Council who have the primary responsibility for maintaining international peace and security under the Charter of the United Nations. Failure to carry out this draft resolution, should it be adopted, would undoubtedly undermine security and peace in our entire region.

I wish to close by once again inviting the Government of Iraq to respond favourably to the demands of this Council and to make good use of the adoption of this draft resolution, which defines in a balanced way the responsibilities of the Council on the one hand, and the obligations of Iraq in terms of implementing this and previous resolutions, on the other. Iraq must recognize that its full cooperation is now imperative, as peoples of the region and the world are fully mobilized to face the challenges of the new century and the challenges of development and stability instead of living in the grip of doubt, fear and uncertainty about the future.

As Kuwait sends out this appeal to the Government of Iraq, we realize that this is an opportune moment that coincides with a highly religious occasion for us as Muslims, the holy month of Ramadan. It also comes at the time of other religious events celebrated by the followers of all divine creeds, and at the end of a century that has been rife with wars and crises. Let us pray to Allah, the Almighty, that this will be an auspicious beginning for a century of peace, and a world imbued with wisdom and reason.

The President: I thank the representative of Kuwait for his kind words addressed to me.

It is my understanding that the Council is ready to proceed to the vote on the draft resolution before it. Unless I hear any objection, I shall put the draft resolution to the vote.

There being no objection, it is so decided.

I shall first give the floor to those members of the Council who wish to make statements before the voting.

Mr. Lavrov (Russian Federation) (*spoke in Russian*): For a year, the work of the Security Council on the matter of Iraq has been deadlocked. The blame for that lies with the force used by the United States and Great Britain against Baghdad, circumventing the Security Council. That action was provoked by the biased and tendentious report of the former Special Commission on the lack of full cooperation by Iraq with the disarmament inspectors. At that time, many members of the United Nations, including Russia, gave their principled assessment of that illegal action and advocated an essentially new approach to the Iraqi issue based on strict compliance with the resolutions adopted by the Security Council and the Charter of the United Nations.

The chance to prepare such comprehensive approaches appeared after the work of the three panels chaired by Ambassador Amorim, who submitted to the Security Council carefully weighed and realistic recommendations. In April this year, Russia advocated the adoption of a draft resolution that would have approved those recommendations and instructed the Secretary-General to prepare practical steps for implementing them. That initiative was blocked by those who wanted to do things in the old way and to continue

using the burden of anti-Iraq sanctions in order to attain their own unilateral goals, going beyond the scope of United Nations decisions on post-crisis settlement in the Gulf region.

The advocates of such actions, whether or not they wanted to, in fact brought the situation to a repetition of what it had been when the leadership of the former Special Commission, under no form of control whatsoever, virtually passed its own verdict on the implementation of Security Council resolutions, constantly accusing Baghdad of violating its obligations to eliminate programmes of weapons of mass destruction. But it never provided any specific proof of a threat emanating from Iraq. It is good that members of the Security Council were not taken in by such attempts; thanks to the efforts of Russia, China, France and other members of the Security Council, the discussion focused on seeking a response to the key issue of how to resume international monitoring in Iraq and at the same time lessen and then halt the sanctions.

This was promoted to a large extent by the French, Chinese and Russian draft resolution submitted in June this year, whose provisions were spelled out in the joint Russian-Chinese document of 9 September. The heart of the document was the conclusion of Amorim's panels to the effect that conditions now existed for shifting the whole Iraqi disarmament dossier onto the ongoing monitoring system, along with the view that the remaining disarmament problems could be resolved successfully within that framework.

Another very important criterion contained in Amorim's recommendations was the need to ensure that the Security Council resolution on the new monitoring system should be acceptable to Iraq, because without cooperation from Iraq, any plans or projects would just remain on paper. As a result of lengthy discussions, including at the ministerial level, it proved possible to bring positions closer together on a number of issues. There is agreement on the establishment of a new monitoring body, which, unlike the former Special Commission, would be based on the norms contained in the Charter of the United Nations and on collegial methods of work and would be truly answerable to the Security Council.

For the first time the Council's willingness is set forth, as a first step, really to suspend sanctions. There was agreement on radical improvements in the humanitarian programme for Iraq in the period up to the suspension of sanctions, although of course it should have been possible long ago to resolve many problems in that area by lifting unjustified holds on contracts in the sanctions Committee. Additional measures were prepared with a view to speeding up the solution of problems relating to missing persons and Kuwaiti property. At the same time, the draft resolution submitted by the United Kingdom, right up until the last moment, remained ambiguous on crucial issues, primarily on the criteria for suspending sanctions. Vague wordings on that matter in the draft provided certain members of the Council an opportunity to interpret the draft in such a way as to require virtually full completion of the key disarmament tasks by Iraq and then, on that pretext, to postpone suspension endlessly. However, in strict pursuance of the earlier decisions of the Security Council, the completion of such disarmament tasks would entail the final lifting of sanctions. To suspend sanctions, it is sufficient simply to note progress being made in the remaining disarmament areas.

It was also unacceptable to have a provision in the draft about the need for Iraq to demonstrate full cooperation with the new monitoring body. We have always stressed that the wording "full cooperation" is extremely dangerous. Nobody has forgotten that it was under the pretext of an absence of full cooperation from Iraq that the former Special Commission provoked large-scale strikes by the United States and Great Britain against Iraq in December last year, circumventing the Security Council.

Faced with the firm stance of several Security Council members, the sponsors corrected these very harmful provisions of the draft. The discredited argument about full cooperation was removed. A clarification was introduced to the effect that progress on the remaining disarmament tasks — and not their virtual completion — would be grounds for assessing the conditions necessary to the suspension of sanctions. The wording about control of the financial aspects of the suspension, which essentially predetermined the continuation of the sanctions regime in another guise, was removed. The reference to Chapter VII of the Charter was spelled out more clearly so as not to provide any legal grounds for unilateral actions of force against Iraq contrary to positions held in the Security Council.

We note all of these shifts that have been made by the sponsors.

At the same time, we note all of the deficiencies of the draft resolution and some hidden dangers that remain. We must not forget that certain countries still have their

own agendas with respect to Iraq that may be at variance with the collective position of the Security Council. The Council never authorized the establishment of "no-fly zones", from which the civilian population of Iraq suffers to this day, nor did it authorize subversive acts against the Iraqi Government. It would seem that if we all seek truly new approaches in the Council to a long-term settlement in the Gulf, such illegal unilateral actions must end. Unfortunately, that has not happened.

In these circumstances, Russia cannot support the draft resolution before us today. We have decided, however, not to hinder its adoption since, at our insistence, serious changes have been introduced into the text. These changes offer an opportunity to break the Iraqi stalemate, in which the Secretary-General could play a very special role. Much will depend on the specific parameters of the new monitoring body; on who will lead it; on whether it is able to free itself from the pernicious heritage of the self-immolating Special Commission and to work honestly under the Security Council's control; and on how professionally and realistically the remaining key disarmament tasks and financial modalities for the suspension of sanctions are prepared.

How these practical matters arising from the draft resolution are resolved will directly determine the position of Baghdad. We are not trying to shield Iraq. We believe that it must resume cooperation with the United Nations. It is unacceptable, however, to allow the recreation of a situation in which the fate of an entire country was in the hands — or, to put it gently, under the inadequate leadership — of the former Special Commission.

From our past experience, we know that efforts may eventually be made in the Security Council to pressure Baghdad, to require it urgently to implement the provisions of this draft resolution and to threaten it with the imposition of additional measures. We issue this warning from the start: The fact that we are not blocking the adoption of this imperfect draft resolution should not be taken to indicate that we are obliged to play along with attempts to impose its forcible implementation.

Our position remains unchanged. Baghdad must meet the demands of the United Nations that it eliminate its weapons of mass destruction programmes. In response, the Security Council must lift sanctions. Judging from existing objective assessments, Iraq is already no threat to international and regional peace and security. In any event, no concrete proof has been submitted to the Council in recent years.

It is now up to the Security Council to act objectively and in an unbiased way. The very near future will reveal whether the collective good will of members of the Security Council can lead to strict and fair implementation of its own decisions, or whether the work of the Council on the issue of Iraq will once again slide into a politicized track. Depending on what happens, Russia reserves its right to determine its future position on this matter.

At this stage, it is important that, despite all the disagreements on the draft resolution before us, it has been possible to avoid a split in the Council, which would have been fraught with unilateral, and possibly even forcible actions, and to confirm the key role of the Council in the political settlement of the most important problems of the world today. As a permanent member of the Security Council, Russia will continue to do its utmost to strengthen that role.

Mr. Hasmy (Malaysia): My delegation believes that, had it not been for that fateful report of the former Chief Inspector of the United Nations Special Commission on Iraq, which triggered the December 1998 bombing of Baghdad and other Iraqi cities, the United Nations Special Commission would still be operating in Iraq, engaged in the important tasks that were mandated to it by this Council. The exercise before the Council today is one not just of asserting its authority and reclaiming its credibility with respect to the issue of Iraq, but equally importantly, one of restoring confidence and trust between the Council and Iraq. Indeed, the Council cannot reasonably expect to effectively re-establish its authority on this enormously difficult issue without also re-establishing a modicum of that confidence and trust that have been broken since December 1998.

Despite your best efforts, Sir, which we appreciate very much, the draft resolution does not go far enough to incorporate the concerns that had been expressed by my delegation and others, which would have enabled us to join in supporting a consensus text. It also is not comprehensive enough, as, out of expediency, it has left out the important issue of financial modalities. This is a difficult and complex issue which should have been resolved and incorporated into the resolution, along with the other issues, as a total and integrated package, since leaving it out is likely to create a lot of uncertainties and would complicate the implementation of the draft resolution. We reiterate the view that a consensus approach would contribute enormously to the success of this exercise.

The draft resolution provides, *inter alia*, for the resumption of arms inspections in Iraq and the suspension of the nine-year-old sanctions, but while it is precise in respect of the establishment of a new monitoring, inspection and verification commission and the return of disarmament inspectors on the ground, it is less clear, indeed vague and full of conditionalities, in respect of the triggering of the suspensions; nor does it establish a definite benchmark or a time-frame for the final lifting of the sanctions, which ought to be as much the objective of the entire exercise as are the accounting for and disposing of Iraq's alleged remaining weapons of mass destruction. In our view, it is reasonable, in the absence of such a benchmark or time-frame, for there to be an element of certainty and predictability in the renewals of the suspensions based on the positive reports of the new commission. This is important not least for purposes of economic and development planning for Iraq, which must urgently embark on rebuilding its shattered economy. Nine years of punitive sanctions are far too long for any country to bear.

This Council has the responsibility to assess the enormity of the effects of the sanctions on the Iraqi people and must begin the process of dismantling them as soon as possible, predicated, of course, on Iraq's compliance with all relevant resolutions of the Council. It cannot be denied that the sanctions have had debilitating effects on the Iraqi population as a whole, especially the most vulnerable groups, such as the elderly, the infirm and children, who are deprived of many of the most basic amenities which are taken for granted elsewhere.

The indefinite continuation of the sanctions violates the very spirit and purposes of the United Nations enshrined in its Charter, which, *inter alia*, seeks "to reaffirm faith in fundamental human rights, in the dignity and worth of the human person" and to "promote higher standards of living, full employment, and conditions of economic and social progress and development". These are the very words of the Charter.

These lofty ideals ring hollow indeed in the context of the reality of the situation in Iraq. The recent report of the United Nations Children's Fund on infant mortality, attesting to the preventable deaths of half a million children below the age of five years in Iraq since the imposition of the sanctions, is a telling indictment against the continuation of the sanctions and a sober reminder of the responsibility of the Council to end them as soon as possible. The only way to alleviate the dire plight of the Iraqi people is for the Council to work out a clear sanctions-lifting plan that would allow Iraq to resume normal economic relations with the international community.

There is consensus on two aspects of the draft resolution. The first is the crucial need for the return of a new monitoring, verification and inspection system to Iraq to complete the disarmament tasks that were once entrusted to the former Special Commission. There is broad agreement within the Council on continued monitoring and the urgent need to resolve the key remaining disarmament tasks in Iraq. However, any reinforced ongoing monitoring and verification system should take into account Iraq's dignity as an independent, sovereign State, as well as the religious and cultural sensitivities of its people.

My delegation regrets that this draft resolution persists in effecting stringent controls that could not but impact negatively on innocent civilians. The much touted oil-for-food programme, while important, has limited capabilities to meet the pressing needs of the Iraqi people. By one estimate, Iraq would need at least $30 billion annually to meet its current requirements for food, medicine and infrastructure. Improvements to this programme, which are proposed in this draft resolution, are essentially selective humanitarian measures which will only lead to incremental improvements and address a small fraction of the needs of the Iraqi people.

Lifting the oil export ceiling is welcomed, but is limited in its impact by the severely debilitated oil infrastructure in the country. Clearly, no real improvements are possible if urgent oil spare parts and equipment continue to be placed on hold in the 661 Committee. We continue to believe that nothing short of the massive rehabilitation of the entire economy and the rebuilding of Iraq's infrastructure will enable the situation to improve in a fundamental way.

The second consensus in the Council relates to the equally urgent need to resolve the Kuwaiti issues, namely, Iraq's commitment to facilitate the repatriation of all Kuwaiti and third country nationals and the return of all Kuwaiti property, including Kuwait's priceless archives. Clearly, there will be no final resolution of the Iraq issue until and unless all of these issues have been resolved. Aside from the need to demonstrate its clear cooperation in respect of the remaining disarmament issues, Iraq will have to show its cooperation in respect of these other equally important issues, beginning with resuming its cooperation with the Tripartite Commission

and the Technical Subcommittee to resolve the questions of Kuwaiti and third country missing persons.

The humanitarian nature of the issue is indisputable and must be addressed by Iraq, which must make every effort to resolve this and the equally important and emotive issue of the return of the missing Kuwaiti property and archives. The importance of these issues to Kuwait has been eloquently underscored yet again by the Permanent Representative of Kuwait in the Council this morning. My delegation firmly hopes that what he said will be taken to heart by Iraq.

Malaysia attaches particular importance to the issue of the hajj flights. We are opposed, as a matter of principle, to the imposition of sanctions on the performance of the hajj, which is one of the five sacred pillars of Islam, and have consistently urged the lifting of any such restrictions, whether in respect of the previous sanctions on Libya or on Iraq. While it is true that hajj flights are not under sanctions per se, aspects of the performance of the hajj by Iraqi pilgrims are subject to approval by the sanctions Committee in respect of Iraq or the 661 Committee.

I regret that a number of proposals made in this regard, including by my delegation, have not been accepted. On the basis of our experience in the 661 Committee, we do not believe the current formulation in the draft resolution will resolve the problems that occur every hajj season. It is imperative that the hajj issue be depoliticized once and for all by removing it from the sanctions regime altogether or by providing maximum latitude or flexibility in its implementation. This is an important matter to be urgently addressed out of respect for the Islamic faith, especially in the context of the upcoming hajj, which is only three months away. We wished that the issue of the hajj flights, which should also include the *umrah*, could have been treated with greater sympathy and understanding, particularly in the context of the inter-civilizational dialogue on which the international community is embarking.

The Council is about to adopt an enormously important resolution which will affect the lives of the Iraqi people in many ways. My delegation had proposed that the Council give a hearing to Iraq's views before it took action on this draft resolution. This is, after all, part of due process before a decision is made affecting the party concerned, as is provided for in the Charter of the United Nations and the Council's provisional rules of procedure.

My delegation regrets that its proposal has not been accommodated, in spite of support from a number of Council members. We will, nevertheless, continue to call for a dialogue and engagement with Iraq, in the belief that engaging Iraq, rather than isolating and demonizing it, will serve the best interests of both the international community and the people of Iraq. In this regard, we reiterate our conviction that the Secretary-General, who concluded an important memorandum of understanding with Iraq in Baghdad on 23 February 1998, has an appropriate and pertinent role to play and should be encouraged to do so.

The draft resolution before us is intended to set out a new Council approach towards Iraq. Unfortunately, it does not have the right balance. It is driven largely by political, rather than humanitarian, considerations. It is aimed at keeping Iraq under continued isolation, rather than bringing it out into the mainstream of international life, which should have been the real aim of this exercise. The language of the draft resolution is ambiguous in some important parts, so that it may lend itself to unilateral interpretation and/or action in its implementation, which must be avoided. The Permanent Representative of the Russian Federation alluded to this fact.

The text incorporates only some of the recommendations of the Amorim panels. My delegation had strongly supported the panels' recommendations, which, in our view, provide the most viable basis for resolving the outstanding issues with Iraq and should have been the basis of this omnibus draft resolution. We also believe that for the successful outcome of this exercise, it is important for the international community, particularly members of the Council, to create a conducive atmosphere. Regrettably, this is not the case, given the continuing violation of Iraq's sovereignty and territorial integrity.

For the reasons I have given, my delegation is unable to support the draft resolution.

Mr. Dangue Réwaka (Gabon) (*spoke in French*): One of Gabon's concerns during its term in the Security Council has been to see Iraqrejoin the concert of nations. This, of course, implies that Iraq respect the rules governing relations between actors of the international community. It also implies that Iraq comply with the relevant Security Council resolutions, particularly Security Council resolution 687 (1991) of 3 April 1991, which stated that Iraq should unconditionally accept the

destruction, removal or rendering harmless, under international supervision, of all prohibited weapons, as well as control of its armament programme.

Our greatest hope was to arrive at a draft resolution that would broadly take into account the comments and fundamental suggestions made by most of the Security Council members.

We deeply regret that the efforts made over a period of several months have not led to this outcome. It is even more regrettable that, in some areas, experts' views seem to be fairly precise. For example, Ambassador Amorim, Chairman of the evaluation panel set up by the Security Council on 30 January 1999, quoted the International Atomic Energy Agency to the effect that there was no indication that Iraq currently possessed nuclear weapons or that it retained any practical capacity to produce such weapons.

However, the same does not apply in the area of chemical, biological and other weapons, where many questions still require further clarification.

The draft resolution on which the Council is about to vote today offers Iraq an opportunity to resume its dialogue with the United Nations and to shed light on those shadowy areas that lead one to think that there is still something hidden concerning its programme of weapons of mass destruction.

In this context, the Gabonese delegation would encourage the Iraqi Government to take this opportunity to provide unfailing cooperation with the new United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) referred to in operative paragraph 1 of the draft resolution before us. Such cooperation would allow the Council to take, *inter alia*, the measures set forth in paragraphs 28, 33, 37 and 38 of the draft resolution.

Those paragraphs deal with an increase in resources currently allocated for spare parts for the oil industry, suspension of the prohibitions on the import of Iraqi products and on the sale to Iraq of civilian goods, and the lifting of the prohibitions imposed under Security Council resolution 687 (1991).

If Iraq were to help create the necessary conditions for implementation of those measures, it would be helping to ease the suffering endured by its people for the last nine years; it would be promoting a return to a normal life; it could make it possible to enjoy free trade with neighbouring countries; and it could help consolidate peace in the Middle East.

Cooperation must also be extended to the Tripartite Commission and the Technical Subcommittee established to investigate the cases of missing Kuwaiti nationals and third-country nationals, and to facilitate the return of Kuwaiti property and archives seized by Iraq.

On that important aspect of the situation between Iraq and Kuwait, the evaluation panels chaired by Ambassador Amorim reaffirmed that these issues were eminently humanitarian in nature and indicated that it was essential to provide information to the families of missing persons, whatever the circumstances. In this connection, we are pleased that the Secretary-General has been called upon to appoint a high-level coordinator to follow up and report on these matters to the Council every four months.

Lastly, we are very glad that, in paragraph 6 of the draft resolution before us, emphasis is placed on the need to provide high-quality technical and cultural training for the members of the new United Nations Monitoring, Verification and Inspection Commission. In fact, it was a lack of attention to Iraqi cultural sensitivities that in the past often jeopardized the relations between Iraq and the former Special Commission.

My delegation will vote in favour of the draft resolution contained in S/1999/1232 of 14 December 1999.

Ms. Ramírez (Argentina) (*spoke in Spanish*): For more than a year now, the United Nations has been prevented from carrying out its Security Council mandate to monitor Iraq's disarmament and to adopt permanent inspection and verification measures. The serious and complex causes of this state of affairs are clearly reflected in the fact that we needed more than 10 months to conclude negotiations, the first phase of which will come to a close with the adoption of the draft resolution before us.

Argentina cooperated in this process as a sponsor of one of the first draft resolutions drawn up. The purpose of that initiative was to help us out of the stagnation in which the Council found itself. It is reassuring to see that a number of the ideas embodied in that document have been incorporated into this new draft submitted by the delegation of the United Kingdom after several months of negotiations among the permanent members.

We have stressed the need to reach consensus in the Security Council to convince Iraq to resume cooperation with the United Nations. We have also supported the view that Iraq's opinions should have some relevance in this process. Nevertheless, the price of consensus cannot be the loss of the Council's authority; nor can it be an abandonment of the principles upheld ever since the adoption of Security Council resolution 687 (1991).

I shall now refer to what we believe are the main aspects of the draft resolution. In the first place, appropriate interaction between the Security Council, the new entity that will succeed the United Nations Special Commission — the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) — and Iraq is re-established. It will be the Security Council's responsibility to adopt the programme of work of that Commission and of the International Atomic Energy Agency (IAEA), and its fulfilment will be one of the conditions for suspending sanctions. UNMOVIC and the IAEA, for their part, will have to return to Iraq to prepare work programmes that will allow them to fulfil their mandate, after having determined the current state of affairs on the ground. These provisions of the draft, *inter alia*, indicate positive changes towards arriving at a clear-cut redefinition of competencies.

The concept of the suspension of sanctions to encourage compliance with resolutions is beginning to take root in the practice of the Council. The machinery envisioned in section D of this draft resolution reasonably makes the suspension of certain sanctions imposed on Iraq dependent on that country's cooperation with UNMOVIC and the IAEA in all aspects of the work programmes envisaged in operative paragraph 7. In the light of the precedents set, and in view of the subregional situation, which has not changed, it seems to us that cooperation without hesitation or reservation is an indispensable condition and a central element of the draft.

This draft resolution, once adopted, will have to be implemented, and it is to be hoped that Iraq will so comply. Thus, it would again be an interlocutor within the United Nations system and would benefit from the establishment of a suspension of sanctions at the halfway mark towards their lifting.

In any event, most of the humanitarian measures in section C will be applicable for the benefit of the Iraqi people immediately after the adoption of the draft resolution. The definitive lifting of the ceiling for oil exports from Iraq under the system established under resolution 986 (1995) and the establishment of a simplified machinery for approving imports of food, medication or educational items are decisions that will have an immediate effect.

Finally, the evaluation of the applicability of this draft resolution will also have to take into account the role that we, the members of the Council, have to play. For sanctions to be suspended, not only will Iraq have to comply with its obligations, but the Security Council will have to approve the programme of work of the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) and the International Atomic Energy Agency (IAEA). Moreover, the Council will have to agree upon a financial monitoring system to ensure that the suspension is effective. These two decisions are vital in the process, and we hope that they will be successfully implemented in the near future.

We also hope that Iraq will comply fully and unconditionally with paragraph 30 of resolution 687 (1991), in accordance with section B of the draft resolution.

The creation of UNMOVIC begins a new phase in the mandate concerning the ongoing disarmament, monitoring and verification of Iraq established in paragraphs 8, 9 and 10 of resolution 687 (1991) and in resolution 715 (1991). The new draft resolution includes all the necessary precautions to maintain the objectivity, technical capacity and professionalism needed to guarantee that this subsidiary body of the Council will report impartially on compliance with its mandate and the cooperation it receives from the Iraqi Government. It also makes it possible to take advantage of the knowledge and experience acquired by the United Nations Special Commission (UNSCOM) in its eight years of work.

In conclusion, we should like once again to express our appreciation for the efforts that you, Mr. President, as well as your delegation and your capital have made to make progress towards a text that would allow us to get out of the situation that has faced us since the end of 1998.

The President: I thank the representative of Argentina for the kind words she addressed to me.

Mr. Qin Huasun (China) *(spoke in Chinese):* Exactly one year ago, for reasons known to all, the United Nations arms inspection in Iraq had to be suspended. Since then the Security Council has been

deadlocked on the Iraqi issue, and nothing much has been done over the past 12 months. With a view to breaking this impasse, the Council set up three panels that put forward new recommendations on how to reinstate the arms inspection in Iraq, improve the humanitarian situation there and speed up the settlement of the issue of Kuwaiti missing persons. After that Council members held prolonged discussions and consultations, hoping to bring together the vastly different positions of the various sides and to reach consensus on a comprehensive and balanced resolution so as to restart United Nations arms inspection activities in Iraq.

How to solve the rather complicated Iraqi issue in a meaningful, effective and smooth manner is a serious topic that should be carefully considered by each and every member of the Council. China believes that in the formulation of new comprehensive Council policies on Iraq, at least the following three core issues will have to be addressed.

First, a new inspection commission should be established, which should be objective, impartial, transparent and accountable to replace the infamous United Nations Special Commission (UNSCOM). UNSCOM, established in line with resolution 687 (1991), scored considerable achievements in monitoring, verifying and destroying Iraqi weapons of mass destruction, achievements which should be acknowledged. However, under the leadership of its previous Executive Chairman, UNSCOM continuously concealed information from the Council, deceived and misled the Council and even went so far as to act presumptuously without authorization by the Council, thus playing a dishonourable role in triggering the crisis that was unfolding then.

I am sure that it is still fresh in the memory of every Council member that more than once UNSCOM delivered VX and other chemical agents to Baghdad without asking for permission beforehand or submitting reports afterwards. The Council may also recall that although hundreds of inspections went pretty well, and only a few caused minor problems, UNSCOM still came up with the conclusion that there was a lack of full cooperation from the Iraqi side. The Council may further recall that on such a crucially important issue as its withdrawal from Iraq UNSCOM bypassed the Council and made the decision all on its own. It is our demand, as well as our firm belief, that the new inspection commission must not repeat the path of UNSCOM. Its activities must be objective and accountable, and the Security Council must exercise absolute control over and supervision of its work.

Secondly, the remaining Iraqi disarmament issues should be defined clearly and precisely and resolved gradually and effectively. It is only fair to say that there has indeed been tremendous progress in the disarmament of Iraq, especially regarding the nuclear and missile files. It is also true, however, that some problems still remain. We have always held that the key remaining tasks should neither be dismissed lightly as non-existent nor wantonly exaggerated. The right thing to do is to send the new inspection commission to Iraq on a true fact-finding mission, and then the list of key remaining tasks should be reviewed and approved by the Council. The Iraqi Government will then undertake to address these tasks in accordance with the approved list and to accomplish its disarmament obligations as soon as possible so that the Council will accordingly lift all sanctions in a timely manner.

Last, but not least, there is an urgent need to relieve the Iraqi people of their tremendous, inhumane suffering, which has lasted for nine years. The nine-year-old sanctions have inflicted untold physical and psychological sufferings on Iraqi civilians, especially women and children. The United Nations Children's Fund (UNICEF), the United Nations Office for the Coordination of Humanitarian Affairs and the many humanitarian non-governmental organizations' aid groups in Iraq, after conducting separate field studies of their own, have all documented the cruel reality of severe humanitarian suffering in that country. They have made the same appeals repeatedly to the Council to put an early end to the inhumane sanctions against Iraq. No one in the Council has ever believed and agreed that the original intention of the Security Council in imposing sanctions against Iraq was to hurt those innocent civilians. Therefore, the Council has no justification whatsoever to prolong the humanitarian suffering of the Iraqi people.

Thanks to the efforts by all sides during the process of the consultations, the draft resolution before us incorporates many proposals and recommendations put forward by the panels on how to improve the humanitarian situation in Iraq. This is a positive outcome that most Member States, including China, have desired. In the draft resolution, there are also new measures for solving such problems as Kuwaiti missing persons and property. We have also noted that a final adjustment has been made by the sponsor. Thus, although we are not satisfied with the draft resolution as a whole, we feel that it does represent some improvement over the text initially proposed by some members.

The three core issues mentioned earlier can be resolved only through the adoption of a new and comprehensive resolution that can be implemented; only then can we begin to move out of the year-long impasse. However, I have to point out with regret that the implementation of the draft resolution before us is highly questionable. As I am sure everyone understands, without Iraqi cooperation it will hardly be possible to implement any resolution. If implementing a resolution does not enable Iraq to see the light at the end of the tunnel, as is the case with this draft, how could it be ready and willing to offer the cooperation we hope for?

We have always believed that Iraq is under the obligation to implement faithfully the relevant Council resolutions, but the Council is also under the obligation to implement its own resolutions honourably, give an objective assessment of Iraq's implementation, and gradually lift, or at least suspend, the sanctions accordingly. Therefore, we are of the view that in the draft resolution, the reinstatement of disarmament inspections and the suspension of sanctions against Iraq should be linked.

As long as Iraq honours its disarmament commitments and gradually achieves progress, the Council should move, in a timely manner, to suspend the sanctions. As long as the new Commission submits positive reports to the Council on Iraq's continued cooperation in addressing the key remaining tasks, the suspension of sanctions can, and should, be extended automatically. We have repeatedly suggested that the draft resolution should contain specific and feasible provisions which would not only make it easier to carry out the implementation, but would also help avoid possible misunderstandings and disputes among Council members. Regrettably, the reasonable position of the Chinese side on these key issues has not been reflected in the draft resolution.

China has also reiterated on many occasions that, because of the vastly divergent positions of the various sides on how to break the impasse and move the process forward, and because consensus can be reached only after painstaking consultations, to impose an artificial deadline for the consultation process simply will not help. Unfortunately, some members have declined to accept our argument and request, and have rushed the Council into action. We cannot but express our utmost regret in this respect.

In a situation where no consensus has been reached, to put a draft resolution to the vote, even if it is adopted, will not help to resolve the longstanding issue of Iraq. Nor can such an approach really help preserve the authority and role of the Council. The Chinese side does not favour such an approach, nor can it support such a draft resolution. Therefore, we have no choice but to abstain in the voting.

It is especially significant that the deliberations and vote on the draft resolution on Iraq are taking place in the Council at this particular time. Yesterday marked the first anniversary of the launching of the unilateral military strikes against Iraq by some members, in circumvention of the Security Council. Indeed, a worrying trend has emerged in international relations over the past year. The Iraqi and Kosovo crises have clearly demonstrated that the wilful use of force, especially unilateral actions taken without the Council's authorization, cannot only severely damage the status and authority of the Council, but also further complicate the situation. The Kosovo crisis had to be addressed by the Council eventually, and now the Iraqi issue also has to be resubmitted to the Council.

These facts have once again made it very clear that the use of force or any other means cannot substitute for the role of the Security Council in the maintenance of international peace and security. It should also be pointed out here that the so-called no-fly zone in Iraq has never been authorized or approved by the Council. The members concerned should immediately cease such actions, which fly in the face of international law and the authority of the Council. Those members should demonstrate real sincerity if they wish to address the issue of Iraq.

Mr. Fonseca (Brazil): We are gathered here today to consider a draft resolution which Brazil hopes will be the first step towards the return of normalcy in Iraq. By normalcy I mean the assurance that Iraq does not pose a threat to regional and international security. Iraq has to abide by its commitment to fully disclose its programmes of proscribed weapons and accept the reinforced mechanism of ongoing monitoring and verification.

But normalcy also means the free flow of trade to and from Iraq and the sovereign control of its resources — that is, the end of sanctions and the reintegration of Iraq into the community of nations on an equal footing.

Paragraphs 21 and 22 of resolution 687 (1991) clearly spell out the conditions for the return of normalcy in Iraq. They remain the standard for the lifting of

sanctions. However, it does not seem possible to achieve that objective immediately. Although its goals remain, the system established by resolution 687 (1991) seems to have exhausted itself. No sign could be more eloquent than the lack of inspections in Iraq for almost a year.

Such paralysis has made it necessary for the Security Council to define new parameters for its action in Iraq, without departing from the existing framework of rights and obligations laid down in previous resolutions.

It is very important that we look critically at the past in order to learn the lessons that may pave the way for the implementation of the draft resolution on which we are about to vote.

The text before us has as one of its main merits a forward-looking approach. It renews the legal basis for our action in Iraq and creates a new political reality based on the idea of a process.

Progress and suspension are important milestones that can be achieved in the medium term. Nevertheless, it seems imperative to recognize that they will have to be politically built. Such a building process, which is above all a confidence-building process, is conceived in the present draft as a continuous process of decision-making. At each particular step, the Security Council is asked to take concrete decisions that will require careful political judgment. We hope that this will be done and that the draft resolution will be fully implemented.

For almost a year now, the Security Council has been grappling with the question of how to reconstitute a unified stance on the Iraqi question and how to restore United Nations authority in Iraq.

The first meaningful step has been the establishment of the three panels. My predecessor, Ambassador Celso Amorim, dedicated a great deal of energy to the task of redefining some of the parameters for United Nations action in Iraq. This was a serious and important endeavour that was recognized by all members of the Security Council. The reports of the panels offered viable technical solutions for political consideration by the Security Council.

Last June, Brazil joined the group of sponsors of the Anglo-Dutch draft, with the main objective of helping to build consensus in the Security Council. At that time, different views were presented in the French-Russian-Chinese draft. We regret that it was not possible to achieve consensus. But after eight months of negotiations, I believe that we have a balanced text. It also incorporates many — albeit not all — of the recommendations of the three panels. We are grateful to the British delegation for all the efforts that they have devoted to this process, and we commend its results.

The draft may not be ideal for each and every delegation. But it is surely very close to the best possible result, taking into account the profound differences of opinion with regard to the question of Iraq. The alternative is the status quo, which, seen from the United Nations perspective, is a precarious balance of non-compliance and absence. Clearly, it cannot be acceptable, since Security Council resolutions are not being implemented while the Iraqi people continue to suffer from all sorts of deprivations. Brazil wants to see the Security Council in full control of a process that can lead to the implementation of its resolutions and to the return of normalcy in Iraq.

Finally, the question of how to engage Iraq has to be addressed, sooner rather than later. This will certainly not be an easy task, given the attitude of the Iraqi authorities, particularly after the events of December 1998 and the incidents of a military nature that continue to occur. It is our opinion that an effort of healing diplomacy will have to be made. The Security Council will need the help of all those with the capacity of holding dialogue with and influencing the Iraqi Government. The assistance of the Secretary-General may be needed.

The adoption of the draft resolution today will also send to the international community a clear sign of our resolve to address the Iraqi issue solely through peaceful means. All actions that fall outside this legal framework should be avoided. Brazil will vote in favour of the draft before us in the firm belief that it represents the start of a new phase in relations between the United Nations and Iraq.

The President: I thank the representative of Brazil for the kind words he addressed to my delegation.

Mr. Jagne (Gambia): At long last, the much-heralded "solution" resolution on the question of Iraq is before us. Your delegation, Sir, deserves commendation for all the effort that was put into it. We are confident that with the adoption of this draft resolution, the Council will succeed in breaking the logjam that cast a spell on it

and threw it into a state of near-paralysis for a year, with serious ramifications for regional peace and security.

The Council has been divided for much too long over Iraq, and the continued stalemate has not been in anybody's interest. That is why my delegation added its voice to those of other members of the Council who wanted this matter to be brought to a close as soon as possible. The efforts deployed with patience, persistence and perseverance, were not in vain. Moreover, for the first time since the imposition of sanctions against Iraq, this draft resolution offers real prospects for sanctions to be suspended and for their eventual lifting. In other words, it holds out the prospect of our seeing light at the end of the tunnel. The other day, my delegation drew the attention of the Council to the fact that the important thing is there is light at the end of the tunnel. But if we just stand by, and ask ourselves whether the light at the end of the tunnel is candlelight or moonlight, we are not making any progress; we are not helping Iraq.

There is no hidden agenda. Paragraph 7 is abundantly clear about where we want to go and what the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) is required to do, in that it clearly states what is required of Iraq. Secondly, on the issue of Kuwaiti prisoners of war and Kuwaiti archives and other property, this draft resolution provides a new approach. From now on there is going to be an active and close follow-up process. This important issue will not, therefore, be relegated to a secondary position. It is a serious humanitarian problem and must be treated as such.

Today, it is not the intention of my delegation to dwell on this issue, since the Permanent Representative of Kuwait has already spoken about it with unrivalled eloquence. My delegation agrees fully with everything that he has said on this issue. It will be recalled that the Gambian delegation has always maintained that the question of Kuwaiti prisoners of war, national archives and other property cannot be swept under the carpet. Iraq must agree to resume cooperation with the Tripartite Commission so that we can bring to a close the question of the prisoners of war and other missing persons. Some delegations have been lamenting the nine years of sanctions against Iraq. But it is also fair to lament the nine years of pain, anguish and uncertainty that 600 Kuwaiti families have been undergoing. Imagine the mental torture of 600 Kuwaiti families — they do not know the fate of their loved ones. The archives must be returned; failing to do so would be like robbing a country of its national identity.

Thirdly, the draft resolution addresses the humanitarian dimension of the Iraqi problem in a manner that we hope will go a long way to alleviating the suffering of the people of Iraq. It will now be possible for Iraq to sell as much petroleum and petroleum products as it can. As soon as a list is drawn up, humanitarian items such as foodstuffs, pharmaceuticals and medical supplies, as well as basic or standard medical and agricultural equipment and educational items, will no longer be submitted to the Committee established pursuant to resolution 661 (1990) for approval. Only the Secretary-General will need to be notified of their importation. This will remove the most depressing constraints on the Iraqi programme and hence make it possible for more humanitarian goods to reach Iraq as and when required.

Moreover, provision has been made to appoint a group of experts with the mandate speedily to approve contracts for spare parts and other equipment necessary to enable Iraq to increase its exports of petroleum and petroleum products. This would eliminate the problem of holds on spare parts for specified projects. Furthermore, this draft resolution also makes provision for the appointment of another group of experts, including oil industry experts, to report on Iraq's existing petroleum production and export capacity and to make recommendations. The use of additional import routes for Iraqi petroleum and petroleum products is not even ruled out.

We could continue to enumerate and extol the qualities and merits of this draft resolution. Henceforth, the Committee established pursuant to resolution 661 (1990) will be directed to take a decision on all applications in respect of humanitarian and essential civilian needs within two working days. To crown it all, there is a trigger mechanism to suspend sanctions, provided that Iraq cooperates in all aspects in honouring its obligations within the framework of the relevant Security Council resolutions. While acknowledging the progress made by Iraq to fulfil some of these obligations, there are still key tasks that remain to be completed. UNMOVIC and the International Atomic Energy Agency will identify them, and then we will move on. The ball is now in Iraq's court, and we sincerely urge the Iraqi authorities to seize this unique opportunity to set in motion the process for the countdown to the suspension of sanctions and their eventual lifting.

It must be understood, however, that what is being offered in this draft resolution is the lowest common

denominator, and we should be mindful of the fact that, inasmuch as there is need for consensus, the Council should endeavour to set and maintain high standards that are consistent and even-handed at all times. If it makes the sad mistake of changing or lowering the standards that it sets for itself for one reason or another, it will be setting a dangerous precedent. The Council must guard against giving special treatment to any country, no matter what happens. All countries should be treated fairly and equally. That is why my delegation vehemently opposed the idea of "implementability"; it is synonymous with palatability and, is therefore, a non-starter.

We have always said that Iraq is a great country with a rich cultural heritage, home to one of the oldest civilizations known, and that, by virtue of its abundant natural, mineral, human and other resources, it has huge potential to become an economic force to be reckoned with, not only in the Gulf region but also worldwide. Today, there are a number of countries that are not military Powers yet are forces to be reckoned with because of their economic, cultural, scientific and technological strength. In our view, that is real greatness — not military might and the accumulation of weapons of mass destruction. In fact, the draft resolution before us recalls the goal of establishing in the Middle East a zone free from weapons of mass destruction and all missiles for their delivery, and the objective of a global ban on chemical weapons.

In the light of all that I have said, my delegation will vote in favour of the draft resolution before us. It shows the way forward, so that Iraq too — provided that it cooperates in all aspects — can join the ranks of that category of countries which have earned the respect and admiration of all not because of the misleading notion of military might but because of the enlightened pursuit of economic miracles and success stories associated with technological breakthroughs in the service of mankind.

We are convinced more than ever before that by cooperating earnestly towards the implementation of this draft resolution, on which the Council will soon be taking action, Iraq has everything to gain and nothing to lose. In any case, half a loaf is better than none.

Finally, the delegation of the Gambia would like once more to pay a special tribute to Ambassador Celso Amorim for the pioneering role that he played in the quest for a viable solution to the Iraqi problem. He is a true trail-blazer.

Mr. Dejammet (France) (*spoke in French*): Today's vote is taking place a year and a half after the crisis with Iraq began in summer 1998 with Baghdad's refusal to cooperate with the United Nations Special Commission (UNSCOM), and with the subsequent sudden departure of UNSCOM and the International Atomic Energy Agency (IAEA) without consultation with the Council, and the ensuing events.

The draft resolution before us acknowledges the difficulties encountered in the implementation of resolution 687 (1991): the disarmament demands could not be fully met; the prospects of the early lifting of sanctions were no longer credible; and UNSCOM no longer offered all the necessary guarantees.

Hence France's January 1999 observation that the restoration of security and stability was the top priority: the Security Council should look to the future in order to prevent the arming of Iraq, and should to that end ensure the long-term presence on the ground of professional inspectors to help guarantee the security of all the States of the region. In the shorter term, it was also necessary to ensure that the sanctions targeted only prohibited weapons and matériel, and that they stopped punishing the Iraqi population, the humanitarian situation of which, as everyone is aware, is deteriorating daily.

The Council heard that message, and early in 1999 agreed that the relationship between Iraq and the United Nations needed to be set on a new footing. The establishment of expert panels, on the apt initiative of Canada, made it possible to begin a pragmatic and impartial approach. I wish here to pay tribute to the Chairman of the panels, Ambassador Celso Amorim, whose recommendations made a considerable contribution to the preparation of today's draft resolution. For our part, we would have wished that those recommendations could have been adopted in full and implemented by the Secretary-General in April 1999.

The present text combines successive drafts of various origins; through the work resumed in September by a number of delegations, it has been considerably modified.

The Council agreed unanimously to call on Iraq to cooperate on the matter of Kuwaiti missing persons and property. As a member of the Tripartite Commission, France intends in this regard to fulfil its responsibility to ensure that this matter is finally settled and to make it

possible to establish new relations between Iraq and Kuwait.

Moreover, the draft resolution would immediately make improvements to resolution 986 (1995). The elimination of the oil ceiling is a good example of this. We thank the United Kingdom for having in recent weeks incorporated a number of French suggestions, which most often drew on the conclusions of the Amorim panels. These include notification to the Secretariat of contracts involving items related to food, health, agriculture and education; approval of contracts for petroleum-related spare parts by independent experts; an increased quota for such spare parts; and suspension of resolution 986 (1995) when the sanctions themselves are suspended.

But two matters are regrettable: the refusal to break the isolation of the Iraqi population and in that connection to permit the resumption of civil aviation; and the lack of a real exception to the sanctions for religious activities such as the haj and the omra pilgrimages, because everything remains in the hands of the sanctions Committee, which itself is subject to a veto by any country.

The new United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) will be very different from UNSCOM, and that is a good thing. The new Commission will follow the principles of professionalism, collegiality and universality. Those principles should guarantee its independence from all Member States and ensure that, like the IAEA and the Organization for the Prohibition of Chemical Weapons, it enjoys the respect of all, including Iraq. The Commission will have the same powers and duties as its predecessor, including the duty to abide by the Memorandum of Understanding of February 1998. But its behaviour, its methods, its organization and its composition will have been reformed in depth.

The use of force to bring about the return of the inspectors is neither desirable nor practicable, as shown by the experience of December 1998. The draft resolution therefore had to include a mechanism for realistic incentives for the Iraqi authorities; this lies in the suspension, then the lifting, of sanctions. The impact of those sanctions, which have been of dubious effectiveness, falls first on the people of Iraq. It is they who daily pay the price for them. The Security Council, which has a choice of means to impose its policies, cannot completely shirk its responsibility in the face of what has been called a genuine humanitarian disaster. Hence the fact that members of the Council have finally agreed on the simple and realistic idea that if cooperation with Iraq were to resume in a manner that we all hope would be satisfactory, the sanctions would be suspended. That means relief for the Iraqi people and an incentive for the Iraqi authorities to cooperate.

This mechanism for suspension is linked, as France had proposed, to solid guarantees. The suspension can be extended only through another positive decision of the Council, while arms continue to be prohibited, naturally, and dual-use goods continue to be subject to advance monitoring. If Iraq does not cooperate, the sanctions will automatically be restored.

This draft resolution entails, however, one unknown factor and, above all, one ambiguous element that should have been resolved. The unknown factor stems from the fact that the details for the financial mechanism have not yet been specified. Iraq has been called upon to accept the return of the inspectors without knowing what arrangement will exist in the period after suspension. In future work on the issue, therefore, we will insist that monitoring be based on the reasonable proposals that our country formulated in writing at the end of July of this year. Resolution 986 (1995) must be suspended, and different modalities must be worked out to allow for freedom of trade and of civilian activity in conjunction with the retention of prohibitions on arms and dual-use goods.

But above all, and herein lies the ambiguity, the criteria for the suspension and then the lifting of sanctions gives rise to difficulties of interpretation. The analyses of members of the Council diverge. Paragraph 7 of the draft resolution means to us that once the work programme is completed, then it will be possible not to suspend the sanctions, but to lift them outright. Suspension, a partial and interim measure, is in accordance with the spirit of paragraph 21 of resolution 687 (1991) and must, as we see it, come into play once progress is reported in the implementation of the programme and not be held up until the work programme is completed. Such progress, in keeping with paragraph 34 of the draft resolution, must be the criterion for cooperation; and cooperation, in keeping with paragraph 33, is itself the criterion for suspension. A different interpretation of the text makes any suspension of the sanctions very uncertain. It is self-evident that one can not make the suspension — a partial and interim measure — contingent on conditions imposed for the lifting of sanctions. The very essence of the Council's proposal is here at issue.

It seems to us, then, that this text should have been clarified, especially with respect to the criterion for suspension; in this way it would have better reflected the views of all the members of the Council. We praise the efforts undertaken to this end over recent weeks, especially by you, Mr. President, and by the United Kingdom. We have done our part in this common endeavour, proposing a number of formulations in the hope of garnering a consensus. Why this insistence on consensus? Because unanimity will be indispensable for the effective implementation of this draft resolution. Indeed, the Council will have to approve without a veto the appointment of the new Chairman, approve without a veto the organization of the Commission and approve without a veto the list of the key tasks. If the interpretations of the text diverge, how will the Chairman of the new Commission be able to carry out his mandate, and how will the Council, for its part, be able to reach a decision as to when sanctions should be suspended?

One last, justified, attempt to secure agreement therefore made sense. It would have sufficed to make some modifications, to clarify the meaning of paragraph 7 and to specify that progress is the criterion for cooperation. Notwithstanding that last and, I repeat, justified effort, a consensus was not achieved. The draft resolution therefore remains imperfect. It falls short of the hopes we had in January. That is why France will abstain. The text, however, is also the only way open to us today, in the light of the views expressed by the majority of the members of the Council. That is why, our abstention notwithstanding, we will plead for wisdom to prevail in the interpretation of paragraphs 33 and 34 so that a reasonable financial mechanism can be adopted, and so that everyone will act realistically and in good faith in order to get the best out of the resolution.

Therefore, we must even now start thinking about the future, about what is to come after the resolution. The Council is going to decide. We will have to convince Iraq to abide by that decision and to muster its goodwill towards that end. We will have to consider the roles that the Member States, individually and collectively, as well as the Secretary-General of the United Nations, will be able to play in this regard. France, for its part, will spare no effort. We hope that the much-desired resumption of dialogue between the United Nations and Iraq will also make it possible to dispel the uncertainties of the resolution. We shall be vigilant in the interpretation and implementation of this text.

If, as we hope, within the Council there emerges the willingness to work towards consensus so as to clearly and realistically apply the guidelines set forth in this draft resolution, France will fully and unreservedly participate in that undertaking.

The President: I thank the representative of France for his kind words addressed to my delegation.

I now put to the vote the draft resolution contained in document S/1999/1232.

A vote was taken by show of hands.

In favour:
Argentina, Bahrain, Brazil, Canada, Gabon, Gambia, Namibia, Netherlands, Slovenia, United Kingdom, United States

Against:
None

Abstaining:
China, France, Malaysia, Russian Federation

The President: The result of the voting is as follows: 11 votes in favour, none against, and 4 abstentions. The draft resolution has been adopted as resolution 1284 (1999).

I shall now give the floor to those members of the Council who wish to make statements following the voting.

Mr. Burleigh (United States of America): An enormous amount of patience and hard work went into shaping this resolution over the past year, and its adoption today marks a profoundly important moment for the Security Council.

Every member of the Council made important contributions to this resolution, including those who did not vote in favour. The resolution was adopted with a large majority of Council members voting in favour, and it has the full authority of the Security Council behind it. It was adopted under Chapter VII of the United Nations Charter, and Iraq is obliged to comply with its provisions. The United States looks to Iraq to act without delay to facilitate the implementation of this resolution.

What is required of Iraq could not be more clear:

First, that it cooperate fully with the oil-for-food programme in order to maximize and optimize its benefits for all the people of Iraq; secondly, that it cooperate fully in meeting the humanitarian obligation to account for missing persons and return stolen Kuwaiti property; and thirdly, in the disarmament area, that it allow weapons inspectors to return, re-establish ongoing monitoring and verification and fulfil key remaining disarmament tasks.

These derive from the unmet requirements set by the Security Council in resolution 687 (1991) nearly nine years ago. In fact, this resolution represents nothing less than a reaffirmation by the Council, after a period of assessment and review, of its fundamental consensus on Iraq. The vote today was not unanimous, but no member asserts that Iraq has met its obligations under the Council's resolutions. No Council member argues that Iraq has disarmed as required. No Council member would say that Iraq has met its obligations to Kuwait or to the families of the missing. We expect all members of the Council, regardless of their vote on this resolution, to join in pressing Iraq for full and immediate implementation.

The United States supports this resolution because it provides a serious response on a serious issue. It is consistent with past resolutions. It is clear, it is reasonable and it can be implemented. As in the past, the United States will closely monitor Baghdad's response to this new resolution. Compliance or non-compliance with this resolution will be simple for the Council to measure.

Before commenting on a few key provisions of the resolution, I would like to acknowledge, on behalf of the United States, several individuals whose extraordinary contributions helped make this resolution possible.

First, as many other colleagues have done this morning, we commend the leadership of Brazil's former Permanent Representative, Ambassador Celso Amorim, whose able management of the assessment panels provided the Council with not a blueprint, but a valuable point of reference. Many of the provisions of this resolution are drawn directly from the recommendations of those panels. We thank Ambassador Amorim and his colleagues in the mission of Brazil for this important contribution.

Ambassador Peter van Walsum of the Netherlands earns our admiration every day for his expert management of the Iraq sanctions Committee. As one of the two initial co-sponsors of the Anglo-Dutch draft, he played a crucial role in sustaining the resolution as it evolved towards today's vote.

We also wish to recognize the early contribution of Ambassador Danilo Türk of Slovenia, whose intellectual creativity provided some of the key concepts embodied in this resolution.

The United States also acknowledges the strong, positive role played by the five elected members that will depart the Council at year's end: Bahrain, Brazil, Gabon, Gambia and Slovenia. By becoming early supporters of this measure, they exercised leadership on a challenging issue of overriding international concern. It is fitting that the Council was able to bring this complex resolution to fruition during the present Council term.

Similarly, we note the role of the other early supporters — Argentina, Canada and Namibia — that were profoundly important in establishing and supporting the overall structure and approach of this new resolution.

Finally, we commend the extraordinary contribution you, Sir, and your Government have made in steering this resolution through months of complex debate and negotiation to a successful outcome today. We thank you for that. Many observers thought it could not be done. Without Ambassador Greenstock's professionalism and fair-minded leadership, it would not have been done.

I would now like to turn to some of the key provisions of this resolution and briefly relate why the United States supports them.

Overall, we support the resolution because it will advance central objectives — objectives of the Council which the United States fully shares — in three main areas: arms control, humanitarian assistance and the issues relating to Kuwait.

Let me start with Kuwait, the victim of Iraqi aggression and destruction on a staggering scale. This resolution will initiate a redoubled United Nations effort to achieve satisfaction and closure on missing persons and stolen property. We look forward to cooperating in every possible way to support the efforts of the special envoy whom the Secretary-General will appoint to address these issues.

On humanitarian issues, the United States has demonstrated a sincere and enduring interest in the welfare of Iraqi citizens living under the tyranny and misrule of Saddam Hussein. We took a leading role in formulating the oil-for-food programme from its original conception shortly after the liberation of Kuwait in 1991.

We take satisfaction in the success of this important humanitarian effort, which has brought about a significant improvement in living conditions for the civilian population in Iraq. We recognize and appreciate the United Nations Secretariat's management of the oil-for-food programme, the largest humanitarian assistance effort in United Nations history. In particular, Mr. Benon Sevan and his colleagues in the Office of the Iraq Programme deserve our gratitude for their accomplishments in a very demanding situation. We fully support the Council's continuing effort to make the programme more efficient and more effective and it is for that reason that we support the humanitarian measures included in this resolution.

The oil-for-food programme is based on a simple principle. Iraq is authorized to export oil in order to generate United Nations-controlled revenue used primarily to benefit the Iraqi people. The measures in this resolution retain, at every step in the Council's consideration of this issue, that fundamental linkage between Iraqi oil exports and humanitarian benefit to Iraqi civilians.

Similarly, measures intended to improve Iraq's ability to produce and export oil remain linked to the documented need for assistance to the Iraqi people. Bearing in mind the need to be vigilant regarding dual-use items, the United States is prepared to accept such measures, particularly in the areas of safety and environmental impact, on the basis of that humanitarian standard.

The Council has never put any prohibition on the religious practices of the Iraqi people and we fully support the provisions in this resolution to exempt from sanctions air travel by Hajj pilgrims. No measure in this resolution should be seen as a step towards any broader relaxation of the air embargo imposed under resolutions 661 (1990) and 670 (1990), however. The United States continues to oppose easing the strictures on air travel, as this would greatly complicate the task of sanctions enforcement.

The area of arms control is central to this resolution, just as it is central to the entire Iraq issue. That is because the fundamental problem remains. Iraq has not complied with the disarmament requirements of the post-Gulf-War resolutions. The unimpeded operation of United Nations arms inspection teams on the ground in Iraq is essential. Accordingly, the United States attaches great importance to the provisions in this resolution calling for establishment of a reinforced monitoring and inspection effort in Iraq. The resolution creates the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) to implement an existing mandate which remains robust and fully consonant with the line established by the Council in resolutions 687 (1991), 707 (1991), 715 (1991) and others. We call upon Iraq to cooperate fully with early resumption of the complete range of mandated disarmament and monitoring activities, which have been in abeyance due to Iraqi non-cooperation and non-compliance.

We look forward to the Secretary-General's appointment of a suitably qualified candidate, with Council support, to become the Executive Chairman of UNMOVIC. He or she will have big shoes to fill. Ambassador Rolf Ekeus built the United Nations Special Commission (UNSCOM) from the ground up, harnessing the highest level of technical proficiency in service of the Council's mandate. During his tenure, Iraq's concealed biological weapons programme was brought to light. Ambassador Richard Butler sustained the operation and logged enormous successes — including documentation of Iraq's previously undisclosed programme to weaponize VX nerve agent — despite growing Iraqi interference and disruption.

At this juncture, let me express appreciation to the entire UNSCOM staff, who have rendered an invaluable service to the international community over the last eight years. They have remained hard at work over the past year despite Iraq's refusal to permit in-country inspections and monitoring. The new Executive Chairman will be fortunate to inherit a sound and seasoned organization, with an irreplaceable database and an expert staff who are ready to return to work and complete their mandate. We also thank Charles Duelfer for his years of commitment to UNSCOM's important achievements.

Under this resolution, the Executive Chairman of UNMOVIC will remain the fully responsible and independent head of an organization which is a subsidiary organ of the Security Council. As with Ambassadors Ekeus and Butler, the Council has afforded the new Executive Chairman flexibility to seek expertise and advice from many sources; but he, or she, also like those two predecessors, will exercise full authority over the composition, structure, operation and critical judgements of UNMOVIC, subject to policy direction which this Council may decide to give.

As in the past, we expect UNMOVIC to employ objective and fully qualified experts in relevant fields, without undue reference to nationality or past organizational affiliation. As in the past, we expect UNMOVIC to act on the Council's behalf in providing a

strong and independent voice requiring punctilious cooperation and compliance from Iraq.

The United States will provide full support to the new Executive Chairman, whose role as the head of an independent and professional UNMOVIC will be central to the future of Council-mandated disarmament activities in Iraq.

Similarly, we will offer our full cooperation and support to the International Atomic Energy Agency (IAEA) as it resumes its Council-mandated activities in Iraq in tandem with UNMOVIC.

Today's resolution does not raise the bar on what is required of Iraq in the area of disarmament, but it also does not lower it. The Council set an exacting, but reasonable and realistic, standard in resolution 687 (1991), and Iraq must meet that standard. The United States will support no resolution which alters that fundamental principle.

This omnibus resolution commits the Security Council to take certain steps if there is compliance from Iraq. And, again, there is no lack of clarity in this resolution about the sequence of events. Iraqi compliance must precede all else, as the Security Council has stated in the many resolutions on arms control and disarmament in Iraq which it has adopted since Iraq's brutal occupation of Kuwait in 1990. That is the standard which we will look to the new Executive Chairman of UNMOVIC to uphold.

Among the important responsibilities which the Executive Chairman will need to address early on is articulation of the "key remaining disarmament tasks" which Iraq must complete. Obviously delineation of the tasks will draw heavily on the previous work of UNSCOM, the most comprehensive and authoritative work to date on the status of Iraq's compliance with its arms control obligations. Equally obvious is the fact that these "key" tasks comprise a subset of the full range of disarmament obligations which Iraq would have to fulfil in order for the Council to consider permanent lifting of sanctions.

Let me state, as clearly and simply as I can, the basic United States position. If Iraq fulfils the key remaining tasks and meets the requirements set forth in this resolution, then the Council, including the United States, can decide whether to recognize that cooperation and compliance by suspending sanctions.

Similarly, if Iraq meets the full range of obligations mandated in the Council's resolutions, the Council can make a decision regarding the lifting of sanctions. We are not seeking an excuse to use force. We would welcome a favourable Iraqi response to this resolution.

It should be clear to all that Iraq holds the key to its own re-entry to the community of nations. Iraqi compliance with the Security Council's resolutions, at any time between the liberation of Kuwait and today, would have prompted the Council to reconsider sanctions. Instead, Iraq has hewn to the path of concealment and prevarication and non-compliance.

At the same time, we have no illusion that the Iraqi regime is likely to change its spots in order to reap the proffered benefits of cooperation and compliance. In fact, the United States has, on many occasions, expressed its view that compliance is highly unlikely as long as Saddam Hussein remains in power in Baghdad. Nevertheless, we join our Council colleagues in introducing the principle of sanctions suspension based on the requirements set forth in this resolution. The Council has acted in good faith. Let us see whether Iraq can respond in kind.

What would it mean to "suspend" sanctions against Iraq? First of all, let me recall what it would not mean. It would not alter the import of food and medicines to Iraq, since the flow of such items has never been restricted by United Nations sanctions. It would not mean the end of inspection and monitoring activities in Iraq by UNMOVIC and the IAEA. And it emphatically would not mean that the Council would turn Iraq's purse strings over to Saddam Hussein and walk away.

Under a suspension scenario, the Council would decide exact terms for lifting prohibitions on exports from Iraq and civilian imports to Iraq. United Nations oversight of such transactions would continue, however. Indeed, before voting to suspend sanctions the Council is required under this resolution to decide on effective financial and other operational measures, which would remain in effect during suspension and prevent any revenues from being diverted for prohibited purposes.

Before considering suspension, the Council would also need to set guidelines on the means of delivering civilian imports during suspension. The present resolution does not define the details of those measures or stipulate what means of delivery will or will not be authorized. I would stress, however, that the United States attaches the

utmost importance to this requirement for effective control measures, and will work to ensure that those eventually adopted by the Council are rigorous, thorough and effective, as this resolution requires.

It is also important, in our view, that the Council has decided suspension would be temporary and would require an affirmative Council decision for renewal. Renewal, thus, would not be automatic. Furthermore, if Iraqi cooperation with UNMOVIC or the IAEA ceased during suspension, then suspension would automatically end. For that reason, the regulatory measures referred to above must be reversible, in order to facilitate reversion to the status quo ante should Iraqi non-cooperation trigger the termination of suspension.

The Council has placed the onus squarely on Iraq to demonstrate that it is continuing to satisfy the requirements set by the Council in this resolution and its predecessors. That is as it should be. Iraq's history of "cheat-and-retreat" with weapons inspectors means there can be no benefit of the doubt for Iraq.

Former United States Permanent Representative Adlai Stevenson once said "You will find that the truth is often unpopular and the contest between agreeable fancy and disagreeable fact is unequal." In addressing the Iraq situation, the Security Council must continue to be guided by the facts, however unpopular they might be with some — for example: the fact that the Security Council set a reasonable standard for the lifting of sanctions in resolution 687 (1991), and the fact that Iraq has manifestly failed to meet that standard; the fact that both the IAEA and the Special Commission reported to this Council one year ago that Iraq had not fulfilled its obligations with respect to weapons of mass destruction, and the fact that Iraq has taken no action to fulfil those obligations in the intervening 12 months; the fact that Iraq has failed to meet its obligation to account for more than 600 persons, presumed imprisoned or murdered at Iraqi hands, who have been missing since the invasion of Kuwait, and the fact that Iraq last year severed its cooperation with the Red Cross and the Tripartite Commission established to resolve this most elemental of humanitarian issues; the fact that massive and systematic abuse of human rights remains a pervasive fact of daily life for the civilian population of Iraq, including children, as Max van der Stoel, the Special Rapporteur of the Commission on Human Rights on the situation of human rights in Iraq, documented in his deeply disturbing October report; and the fact that the Government of Iraq has demonstrated that it would rather manipulate the suffering of innocent civilians for propaganda purposes than take full advantage of available assistance under the oil-for-food programme.

Those are the facts that must inform the Council's judgement as it faces the follow-on decisions which implementation of this resolution will require over coming weeks and months. In adopting this resolution today, the Council's forty-ninth resolution on the Iraq issue since the August 1990 invasion of Kuwait, the Security Council has sent a strong message to Baghdad. This resolution reflects the critical judgement of the Security Council, acting on behalf of the international community, that Iraq has not fulfilled its obligations under the previous resolutions, that sanctions must and will remain unchanged until Iraq does so and that the Council, acting to uphold peace and security in accordance with the United Nations Charter, will accept no other outcome.

In adopting this resolution today, the Security Council has demonstrated that it has the patience and the resolve to uphold the requirements it set in resolution 687 (1991). Now we await the response from Baghdad.

The President: I thank the representative of the United States for his kind words addressed to me and my delegation.

Mr. Buallay (Bahrain)(*spoke in Arabic*): The Security Council has voted on a draft resolution that can truly be considered one of the most important resolutions put before the Council in the past two years. My delegation, which voted in favour of the draft resolution, sincerely hopes that it will be implemented in a credible and objective manner. We are aware that the Council has made strenuous efforts and spent long hours, and you, Sir, have chaired and steered these efforts, in preparation of the draft resolution and in working to secure support for it by the majority of its member States.

However, we also believe that its implementation will require complicated and wide-scale efforts; that would be the decisive factor in implementing it in a valid and efficient manner. We say this because we truly hope that the crises between Iraq and the Security Council will not be repeated. We are keen to see constructive cooperation prevail between the two parties in order to allow for complete destruction of Iraqi weapons of mass destruction, the release of Kuwaiti and other nationals held as prisoners of war and the return of Kuwaiti property.

We in the Gulf region do not favour non-peaceful options that cause tremors in the region every time a crisis looms in the relationship between the Council and Iraq. Therefore, Iraq must continuously implement Council resolutions, the most recent of which is the one we adopted today. This would mean that Iraq should carry out the demands requested of it so that it can devote its efforts to economic and social development, along with other countries of the region.

Our delegation has repeatedly called for the Security Council to make known what has been achieved in the field of weapons of mass destruction. This will be an encouragement to finish the task. We also have called for a declaration on the fate of prisoners and properties. However, the prevailing thinking at the Council at that time was the policy of "all or nothing". Now we find the Council modifying its style and approach, as clarified in the draft resolution, allowing for a partial recognition of what has been realized so far.

The Council has shown readiness to suspend the sanctions imposed on Iraq, provided that Iraq show cooperation in the field of armaments. We call on Iraq to cooperate further with the Council. The Council will guarantee its interests and the interests of the countries concerned, reminding Iraq of its commitments under the relevant Council resolutions.

We have not heard any member of this Security Council who has declined to say that Iraq must cooperate with the Council in the implementation of the relevant resolutions, including today's. In return, Iraq had already declared its total rejection of the resolution, even before its adoption. And here we are today, questioning the ability of the Council to cooperate with the party primarily concerned when this same party rejects any cooperation with it. This party puts suspension of any sanctions previously imposed on it by the Council as a condition for cooperation. How can we suspend or cancel the sanctions while resolution 687 (1991), relative to the destruction of weapons of mass destruction, has not been implemented? Or while the release of Kuwaiti prisoners and other nationals and the return of Kuwaiti property has not been secured?

Here, we must not say that the number of prisoners is small in comparison with those who were taken prisoner in other wars. A prisoner means the whole world for his family; consequently, the problem of prisoners is primarily a humanitarian one. Also, we should not hear that the Kuwaiti properties are simply archives. They are the identity and history of the State of Kuwait; they were stolen so as to obliterate the existence of that country.

Therefore, are we really about to repeat the crises that have loomed in the past between Iraq and the Security Council? We have warned, and continue to warn, about the unpeaceful consequences of such crises.

Today's resolution might not be the optimal one, and its adoption was not unanimous. However, it represents a serious attempt by the Security Council to deal with the issue. Iraq must respond favourably so that the desired results of both parties will be realized.

While waiting for an end to the fall-out from the crisis brought about by the Iraqi aggression against Kuwait, the Security Council adopted the oil-for-food programme so that humanitarian supplies could become a major factor in alleviating the suffering of the Iraqi people resulting from the sanctions imposed against Iraq. It is an integrated programme and is already in its eighth year. However, we have not yet been able to put an end to the question of weapons of mass destruction, nor has there been any information on Kuwaiti prisoners of war or Kuwaiti property.

We are delighted to see that in the draft resolution adopted today, the Council showed readiness to evince more flexibility on the issue of humanitarian supplies. It also exempted the Hajj pilgrimage from the sanctions provisions.

On the other hand, we would like to recall the fifth preambular paragraph of the resolution, which recalls the goal of establishing the Middle East as a zone free from weapons of mass destruction. Here, we must emphasize that Israel poses a great danger to the region, because it possesses a huge nuclear arsenal. Israel must, therefore, submit its nuclear installations to international inspection by the International Atomic Energy Agency (IAEA), in particular the Dimona reactor, which is considered the most dangerous nuclear installation in the Middle East region.

The Security Council must bring the Iraqi question to an end. Iraq, on its part, must cooperate with the Council by implementing its resolutions. Iraq must also coexist peacefully with its neighbours. Then, and only then, will peace and development have a viable chance of spreading in our region. The first step is today's resolution.

Mr. Türk (Slovenia): The delegation of Slovenia supported the preparation of and voted for the resolution adopted by the Security Council today. The resolution just adopted is a result of many months of hard work and difficult negotiations. We wish to pay tribute to you, Mr. President, and to the delegation of the United Kingdom for the work done. It was largely due to your perseverance and skills that the resolution became possible at this stage.

The resolution adopted today is comprehensive in scope and addresses all the main aspects of the new system for Iraq. This is important and calls for reflection on the issues involved in a long-term perspective.

First, it is important that the resolution addressed all the issues comprehensively. The programme established includes, very importantly, the obligations of Iraq concerning the repatriation of all Kuwaiti and third party nationals, and it requires Iraq's cooperation in the international mechanisms established for that purpose. These are important obligations. About a decade after the armed conflict, it is an absolute imperative to clarify the fate of the missing, to repatriate all those who are awaiting repatriation, to return Kuwaiti property and archives and to close this sad chapter on the history of the Gulf War.

The detailed provisions on humanitarian issues offer important improvements in the effort to address the humanitarian needs of the Iraqi people. My delegation welcomes these improvements, which will make the work of the sanctions committee with respect to humanitarian exemptions more effective. At the same time, we wish to note that there are important tasks incumbent upon the Iraqi Government, which remains responsible for the situation in Iraq and the humanitarian situation of its people. It needs to be emphasized that a responsible government cannot justify its shortcomings by constant references to sanctions.

The most innovative parts of the resolution address the future of arms inspections in Iraq and the question of suspension and eventual termination of sanctions. Here reflections related to the long-term context are particularly necessary. The last few years of the efforts last to implement resolution 687 (1991) demonstrated the inherent limitations of the regime established by that resolution. The regime was based on the expectation that the total abolition of Iraqi weapons of mass destruction would be achieved relatively soon, and that as a result the sanctions would be lifted completely. However, experience has shown that such a scheme does not suffice for the necessary transition to disarmament, which requires a more gradual, phased approach.

The present resolution recognizes the reality of the need to make gradual progress. The key disarmament tasks must be accomplished, and the system of ongoing monitoring and verification must be made effective. It is realistic to expect that such achievements can take place in a process which will have to be carefully monitored by the Security Council. Suspension of sanctions can help. The decision to suspend sanctions would be taken when the relevant conditions were fulfilled. The possibility of suspension, which has not existed thus far, gives the Security Council an important additional tool and the option of using positive measures — namely, incentives — which should motivate Iraq to cooperate in the process towards the final objectives of the elimination of weapons of mass destruction and the ultimate lifting of sanctions. This promises dynamism, which has not been possible under the earlier system.

Finally, the resolution establishes a new mechanism for monitoring, verification and inspection in Iraq. The mechanism and its institutional setting within the United Nations system seem adequate and we welcome them. On the other hand, we wish to note that the tasks to be accomplished will not be without difficulties both in terms of technical work and in terms of the need for the Security Council to agree on various issues of disarmament and ongoing monitoring and verification. These issues are, naturally, not only technical. They relate to the overall perception of the military and security situation in the region, and are therefore likely to produce new difficulties in the work of the Security Council. The absence of unanimity today is an expression of the difficulties inherent in the situation. The question therefore is: Is there is a way to overcome these difficulties? I believe that the answer is: "Yes" and that it can be expressed in relatively simply terms. The Security Council and all of its members should take very seriously their responsibility to exert judgement on various disarmament issues, with a sense of objectivity. Any other approach may give rise again to the kind of tensions that have characterized the last two or three years.

In sum, we believe that the resolution adopted today establishes important new arrangements and represents considerable improvement and promise. It is now up to the Government of Iraq to realize that the Security Council is offering a genuine possibility to end the present situation, and that such a possibility must be

seized. We hope that the Security Council, in its new composition, will be able to make faster progress than was the case in the past two years, and that all the issues concerning Iraq will be resolved.

The President: I thank the representative of Slovenia for his kind words addressed to me and my delegation.

Mr. Fowler (Canada) *(spoke in French)*: The adoption of a comprehensive resolution is an important step in the continuing process to resolve the situation in Iraq.

It is the culmination, as we are all too aware, of many months of negotiation and intense diplomacy by all of us. We must, however, pay particular tribute to your personal efforts, Mr. President, and those of your team of experts, who have worked hard to produce the resolution we have just adopted.

When Canada became a member of the Council in January, the Council was searching for a solution to a status quo which was unsustainable. Weapons inspectors were barred from arms depots, the humanitarian situation was disturbing, and the plight of Kuwaiti prisoners of war risked being forgotten. As a result, the Security Council's credibility, authority and effectiveness was in doubt.

The three panels proposed by Canada in January which worked so diligently through February and March under the brilliant and imaginative leadership of Ambassador Amorim of Brazil were designed to address these problems and to lay the foundations for a new Council policy on, and approach to, the question of Iraq, an approach which would enable us to restore Council discipline in Iraq while bringing effective succour to the Iraqi people.

(spoke in English)

Today's resolution reflects most of the recommendations made by Ambassador Amorim's three panels; that is why it has attracted Canada's support.

The resolution offers the people of Iraq relief from the humanitarian hardships they have endured while providing the international community, particularly Iraq's neighbours, with the assurance of continued and focused attention on the disarmament problems which remain unresolved.

It is the people of Iraq who have paid the highest price over the past nine years, and they stand to gain the most from the swift implementation of the terms of this resolution. We are pleased that the Council's efforts have produced much in this text for the people of Iraq. There are strengthened mechanisms to ensure that medical, agricultural, pharmaceutical and educational supplies get to the people, and get to them faster. There is a much needed cash component, for the first time, for the humanitarian effort in the centre and South of Iraq, which will allow programmes there to directly address the training and capacity-building needs of the Iraqi people. And the resolution holds out the possibility of improving Iraq's infrastructure and increasing Iraq's oil production capability, through provisions for additional spare parts and even foreign investment at some later stage. An important immediate benefit will be the removal of the oil export ceiling, which will make significant amounts of new money available for humanitarian priorities.

The humanitarian provisions should provide immediate relief to a variety of segments of Iraqi society, and Canada is determined to work to ensure that the commitments made in this resolution are implemented in both letter and spirit.

In addition, Canada recently sent a mission to Iraq to witness firsthand the humanitarian and other impacts of Iraq's continued isolation. We are committed to improving the humanitarian situation and are exploring ways, based on the findings of that mission, to further alleviate the conditions endured by the most vulnerable segments of Iraqi society, especially the children.

We are determined as well to see the same diligence brought to bear on the disarmament side of the Iraq equation. There is much work that will need to be done to put in place an ongoing monitoring and verification system which can do the job competently, intelligently and professionally. Canada will contribute to this effort and ensure that the goals set on the disarmament front are clear and precise and consistent with the regional security objectives established by the international community.

These are all significant decisions by the Security Council that reflect a willingness by the Council to come to grips with the situation in Iraq.

We recognize that Iraq and some members of the Council are not entirely satisfied with the Council's updated approach. Canada believes, however, that this resolution puts in train an important process which ought to permit a new relationship to be established with Iraq by laying out the principles and the commitments which

could underpin a different dynamic between the Council and Iraq.

The passage of this resolution carries with it obligations for the entire international community which must be respected. On this principle, we are certain there is Council unanimity.

Iraq must also respond positively if it is to realize the dialogue with the Council that it has sought for so long. The time has long since passed when the people of Iraq could afford the luxury of their Government's desire to play politics with the will of the international community.

This resolution offers the Iraqi people both immediate humanitarian relief and the hope of returning to a normal life. We urge the Government of Iraq to seize this opportunity to help its people and to move towards the closure of this question soon.

The President: I thank the representative of Canada for the kind words he addressed to me and to my delegation.

Mr. Andjaba (Namibia): Mr. President, let me thank your delegation, and you personally, for the efforts you have put into this exercise to complete the resolution which we have adopted today.

As I have stated an previous occasions, my delegation would have preferred a unanimous Council decision on the important, complex and politically charged issue of Iraq. Our main concern remains the implementability of a resolution passed by a divided Council. There was indeed an excellent opportunity to achieve consensus, since we were privileged to have the recommendations in the panel reports which were prepared by Ambassador Amorim of Brazil. However, as has been proved today, there still remain some unsurmountable differences among Council members. These, in the view of my delegation, could also have been resolved had the necessary political will existed among the permanent five.

Of equal concern to my delegation was the fact that the Council, for close to a year now, has not been able to assert itself on the Iraqi problem, with the result that some crucial issues were not attended to. Henceforth, we prefer that the issue of Iraq be taken care of in the Council, and by all Council members, in terms of its primary responsibility for the maintenance of international peace and security.

Having said that, my delegation voted in favour of today's resolution because it represents a vast improvement over the situation from where the Council started nearly a year ago, and it addresses most of the outstanding issues on Iraq in a comprehensive manner while taking into account a large percentage of the panel recommendations.

The resolution furthermore provides, with regard to disarmament issues, a road map which can ensure the total elimination of all weapons of mass destruction and the suspension and eventual lifting of sanctions. The resolution also takes care of the most essential humanitarian concerns to my delegation, such as the Kuwaiti issues in section B, and especially the issue of the missing persons and prisoners of war, whose family members are eagerly waiting for justice to be done. Furthermore, the provisions of section C will go a long way towards addressing the material needs of the Iraqi people, since the oil-for-food programme could not, on its own, address all essential needs.

Finally, my delegation sincerely hopes that this resolution will allow the Council to re-establish a relationship of cooperation and engagement with Iraq and to discourage any possible unilateral action by Member States against it. The resolution should allow us to close this unfortunate chapter for good, so that Iraq can eventually take its rightful place in the international community.

The President: I thank the representative of Namibia for the kind words he addressed to me and to my delegation.

Mr. van Walsum (Netherlands): First, Mr. President, I would like to join other delegations in thanking you and your collaborators for all you have done to make the adoption of today's resolution possible.

After almost a year of profound disagreements and arduous negotiations, the Council has at last been able to find sufficient common ground to begin a new phase in its policy with respect to Iraq. The Netherlands voted for the resolution that has just been adopted because it believes that a new basis for Council action regarding Iraq is needed and because the advantages of this resolution outweigh its disadvantages.

Ever since the Netherlands joined the United Kingdom in submitting a first draft for this resolution, it has been our fervent desire to see it adopted with the

concurring votes of all Council members. In that light, we have been prepared to go along with a large number of concessions in order to accommodate other views. The current resolution is, in fact, a considerable distance removed from the British-Dutch draft of April and is actually much closer to the position of those who had made counter-proposals. However, over the past few months — that is, after the permanent five had taken possession of the drafting process — it became clear that the price for enabling Russia, China and France to vote for the resolution was a higher one than my delegation was prepared to pay. In the end, we had to accept that a consensus was not possible if we wished to remain faithful to our objective of establishing a genuine and credible reinforced ongoing monitoring and verification system.

This morning several delegations also expressed regret that it was not possible to reach consensus. But we are not convinced that all delegations were really ready to vote in favour once their concerns had been met, or that they had an interest in voting for any resolution unwelcome to Baghdad. This could explain why the many amendments incorporated into the text did not lead to a change in the voting pattern that could already have been predicted months ago. Rarely have so many concessions gone so unrewarded.

The current argument for holding out for a consensus is that only if all Council members vote for the resolution will Iraq be ready to cooperate and allow the inspectors back into the country.

We have never found this a very convincing argument. In the statements made by the Iraqi authorities, we have found no indication at all that they would be prepared to cooperate with the Security Council other than on the basis of an unconditional lifting of the sanctions, and no member of the Council has shown any readiness to meet that condition. That is why it does not make a great deal of difference that our resolution was not adopted by consensus. Article 27 of the United Nations Charter describes how Council decisions are made, and Article 25 stipulates that every Member of the United Nations is obliged to accept and carry out such decisions. Nothing in the Charter allots a higher degree of legitimacy to a Security Council resolution that is adopted by consensus.

Accordingly, regardless of the result of the vote, the new resolution is the law of the land.

Given their well-known position, no one expects the Iraqi authorities to promise cooperation, let alone welcome the new resolution. But the new situation is a reality, and we sincerely hope that Iraq will soon begin to recognize the promising openings it is being offered by the international community. For the Netherlands, the primary objective has always been the implementation of the disarmament obligations which the Council imposed on Iraq after that country had attempted to wipe a sovereign State off the map. Iraq must never again be able to threaten its neighbours or develop or otherwise acquire weapons of mass destruction. The previous arms control regime, which the Security Council established in 1991 and which it operated through the activities of the United Nations Special Commission (UNSCOM) and the International Atomic Energy Agency (IAEA), was instrumental in finding and destroying Iraqi weapons of mass destruction. UNSCOM and IAEA did an excellent job in the face of continual Iraqi obstruction and deception. We pay tribute to the commitment and perseverance of their leaders and staff members.

The current resolution represents a shift in the Council's approach to Iraq, from active disarmament to ongoing monitoring and verification, while retaining the possibility of addressing unresolved disarmament issues, known as OMV-plus. However, the concessions referred to earlier will make it considerably more difficult — although, we believe, not impossible — to achieve the Council's objectives. The text contains ambiguities which must not be allowed to undermine the effectiveness of the OMV-plus regime. It asks considerably less in the way of Iraqi performance before a possible suspension of sanctions than we would have considered desirable. The complex organizational system envisaged can all too easily lead to misguided micromanagement and operational paralysis of the new arms control body, the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC). We can accept the result, but this is not a text that the Netherlands would have sponsored in April.

Before the new system can start to become operational, the Council will be asked to approve various steps. That will be the opportunity for making sure that the OMV-plus regime established by this resolution will be effective. The Netherlands also calls on the newly elected Council members to be vigilant on that score.

In this Council, a great deal has been said about the need for Iraq to see light at the end of the tunnel. The thoughtless use of this phrase almost made it sound as if the Council had locked Iraq up in a dark cave with no exit. However, the existing resolutions, in particular

resolution 687 (1991), already clearly illuminate the exit: sanctions will be lifted once Iraq has complied fully with the obligations imposed by the Security Council. The present resolution adds significantly to that by offering Iraq a possible suspension of sanctions well before full compliance. This is a completely new element in the Council's approach to the question of Iraq, and an important political step. For this suspension to materialize, Iraq must have cooperated with UNMOVIC and IAEA in all respects for a period of 120 days, in particular in fulfilling, in all the aspects referred to in this resolution, the work programmes to be drawn up by UNMOVIC and IAEA and to be approved by the Council.

Let me be clear about our understanding of the word "cooperation": it involves much more than just a constructive attitude on the part of Iraq. To cooperate is to act together. It is not so much a question of attitude as of performance. Thus, it will be up to the Government of Iraq itself to trigger the suspension of the sanctions.

As I mentioned earlier, it is not realistic to expect an early positive signal from Baghdad. It is precisely for that reason that I, in my dual capacity as representative of the Netherlands and Chairman of the sanctions Committee established pursuant to Security Council resolution 661 (1990), am relieved that the present resolution provides for a considerable enhancement of the humanitarian programme, which will be implemented irrespective of whether or not the Iraqi regime chooses to cooperate with the Security Council. Since 1991, the Council has made it clear that sanctions were imposed only to contain and coerce the Government of Iraq, and it has taken steps to minimize the adverse effects which they had on the people of Iraq.

Section C of this resolution forms a significant further step in shielding the people of Iraq as much as possible from the consequences of the defiant behaviour of their Government. A number of steps provided for in section C will have to be taken by the sanctions Committee. I trust that all delegations on that Committee, including those which today have abstained on the present resolution, will join me in tackling these matters as vigorously as possible.

The President: I thank the representative of the Netherlands for the kind words he addressed to me and to my delegation.

I now give the floor to the representative of Brazil to make a brief second statement.

Mr. Fonseca (Brazil): Thank you, Mr. President, for giving me the floor a second time. I cannot refrain from thanking my colleagues for the words of praise addressed to my predecessor, Ambassador Celso Amorim. It is with pleasure that I will inform him of how meaningful his contribution was to the work of the Council on this difficult question.

The President: I shall now make a statement in my capacity as the representative of the United Kingdom.

Since the adoption of the Security Council resolutions which followed the end of the Gulf war in 1991, the United Kingdom has regarded it as one of the most important responsibilities of the international community, and in particular of the Security Council, to hold Iraq to its obligations under those resolutions and to contain the threat to the peace and security of the region. That includes the threat posed by weapons of mass destruction. For the Security Council to remain a successful global manager of peace and security, we must ensure that its decisions are not diluted by defiance.

The Council's work on Iraq throughout this year has been dedicated to finding a new approach for the international community's business with Iraq, one firmly set in the framework of a collective responsibility exercised within the United Nations. The Amorim panels gave us an excellent start. It is in that spirit that the United Kingdom has participated in these negotiations, and that is why we have worked tirelessly to find an outcome which, while meeting our concerns that Iraq should meet its international obligations, allowed adoption by the whole Council.

We now have that way forward. We have a resolution which preserves the original disarmament standards for Iraq; establishes a new monitoring and inspection arrangement for Iraq, in the shape of the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC); and meets our humanitarian concerns by making the oil-for-food programme bigger and better resourced, in particular through the lifting of the oil ceiling, and by setting out ways to make sure that the funds can be spent as quickly and efficiently as possible to the benefit of the Iraqi people. It also belated recognizes just how dire Iraq's response has been to its obligations with regard to missing Kuwaiti citizens and property. Most significantly of all, it sets out a series of clear, logical steps, using the new concept of suspension, to bring Iraq out of sanctions and back into the international community and to allow the suffering Iraqi

people once again to hope for a normal existence. If Baghdad chooses to turn down the opportunity of this resolution, then the Iraqi people are the real losers.

The Council has embraced the idea of suspension, because it both maintains the integrity of the previous resolutions and marks out the way forward. The United Kingdom strongly endorses the concept, and sees it as a valuable step towards the full lifting of sanctions.

The criteria for suspension are clear, and are rooted in Iraq's obligations under existing resolutions. They give the international community the necessary reassurance that suspension can occur only if Iraq at last begins to act according to the rules of international law. If we have needed to establish a process for that purpose which involves calling for the responsible judgement of the Council at steps along the way, that too is sensible; it can only help to produce greater confidence in Iraq's good faith and stronger agreement within the Council on how to deal with Iraq.

Some have argued that the resolution should have been designed to ensure Iraq's acceptance of it. On the basis of Iraq's known current positions, that would have meant abandoning all the previous resolutions. It was clearly not a credible approach for the Council. A more serious point is whether Iraq will cooperate in its implementation. Iraq's track record and its recent rhetoric are hardly encouraging: witness its refusal this week to grant visas to the International Atomic Energy Agency. That makes it all the more important that we in the Council do everything we can to turn this resolution into a reality. It means action across the board, starting now. On weapons of mass destruction, we need to select someone able and experienced as Executive Chairman of UNMOVIC to carry on the excellent and professional work of the United Nations Special Commission. On the humanitarian side, the Committee established pursuant to resolution 661 (1990) has urgent work to do to make the humanitarian programme bigger and better. And we look forward to the appointment of an active coordinator on the Kuwait-related issues.

The adoption of this resolution was an exceptional achievement for the Security Council. As the representative of the Russian Federation stated this morning, it was possible to avoid a split in the Council. The result is fully in the interests of the Iraqi people and of the international community. The resolution has been adopted, explicitly, by the Council as a whole, in the recognition that relief of sanctions and performance on disarmament have to go hand in hand. We regret that, on this point, some have been more inclined to listen to the voice of the Iraqi leadership than to the needs of the Iraqi people. The Council now has the policy which it needs, and this resolution is now the law of the globe.

It is time to look forward. The Security Council needs, and the United Nations system as a whole needs, the weight of the full Council and the full membership in implementing this mandatory resolution. We have a great deal of work to do to bring its provisions into effect, and we must do it together. If we succeed in that, it will be to the advantage of the peoples of Iraq and of the region, in the interests of the future authority of the United Nations, and to the great credit of the Council.

Finally, as the sponsor of this resolution, I pay tribute to my colleagues — all of them — for their patience, their perseverance and their diplomacy in bringing this comprehensive piece of work on Iraq to a result.

I now resume my functions as President of the Security Council.

Mr. Hasmy (Malaysia): I would just like to remind the representative of the Netherlands that, in addition to China, France and the Russian Federation, Malaysia too abstained in the vote on the resolution just adopted by the Council. My delegation would like to stress that while Malaysia is not a permanent member, it is nevertheless a full, functioning and voting member of the Council, and has just exercised its right to vote on a draft resolution, on which it abstained for reasons my delegation made clear in its earlier statement.

On the process that led to this vote, my delegation is of the view that if the issue had been properly discussed and negotiated among all 15 permanent and non-permanent members at every stage of the consultations and negotiations, the outcome might well have been quite different.

The President: There are no further speakers on my list. The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The Security Council will remain seized of the matter.

The meeting rose at 1.45 p.m.

United Nations S/PV.4084/Corr.1

Security Council
Fifty-fourth Year

Provisional

4084th Meeting
Friday, 17 December 1999, 10.45 a.m.
New York

Corrigendum

Page 26, first complete paragraph, second sentence

The sentence should be read as two sentences, as follows: But we are not convinced that all delegations were really ready to vote in favour once their concerns had been met. It would seem that some had an interest in not voting for any resolution unwelcome to Baghdad all along.

00-21812
99-86801 (E)

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United Nations

S/PV.4085

Security Council

Fifty-fourth Year

Provisional

4085th Meeting

Wednesday, 22 December 1999, 11 a.m.

New York

President:	Sir Jeremy Greenstock	(United Kingdom of Great Britain and Northern Ireland)
Members:	Argentina	Mr. Petrella
	Bahrain	Mr. Buallay
	Brazil	Mr. Fonseca
	Canada	Mr. Fowler
	China	Mr. Chen Xu
	France	Mr. Dejammet
	Gabon	Mr. Ebouny
	Gambia	Mr. Jagne
	Malaysia	Mr. Mohammad Kamal
	Namibia	Mr. Andjaba
	Netherlands	Mr. van Walsum
	Russian Federation	Mr. Granovsky
	Slovenia	Mr. Türk
	United States of America	Ms. Soderberg

Agenda

The situation in East Timor

00-22123

99-86813 (E)

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The meeting was called to order at 11.30 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in East Timor

The President: In accordance with the understanding reached in the Council's prior consultations, and in the absence of objection, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations.

There being no objection, it is so decided.

I invite Mr. Annabi to take a seat at the Council table.

The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

At this meeting, the Security Council will hear a briefing by the Assistant Secretary-General for Peacekeeping Operations on the situation concerning East Timor.

I should like to draw the attention of members of the Council to document S/1999/1248, letter dated 14 December 1999 from the Secretary-General transmitting a letter dated 10 December 1999 from the Permanent Representative of Australia to the United Nations and the fifth periodic report on the operations of the International Force, East Timor (INTERFET).

I now call on Mr. Annabi, Assistant Secretary-General for Peacekeeping Operations.

Mr. Annabi: I should like to begin this briefing on the situation concerning East Timor with an expression of deep appreciation to the Governments that participated in the donor conference held in Tokyo on 16-17 December. That conference was, in our view, very successful. Pledges were made amounting to a total of $522 million, covering humanitarian assistance, administration and capacity-building for self-government and reconstruction and development. The timely disbursement of these funds will ensure that the United Nations will have the resources required for the large and complex tasks it has undertaken in East Timor. We are most grateful for this support, and I think a special word of appreciation is due to the Government of Japan, which made a significant contribution to the success of the conference, both as host of the conference and as a major donor.

The preparations for the Tokyo conference involved exceptionally close cooperation between the United Nations and ita agencies and programmes, the World Bank, the International Monetary Fund and, of course, the representatives of the people of East Timor.

Turning to the security situation, the situation has remained largely stable. There have been isolated cases of verbal and sometimes physical abuse of returning refugees on the grounds that they had supported autonomy rather than independence during the popular consultation, but no serious casualties have resulted. The fighters of FALANTIL remain in their cantonment area at Aileu, from where some minor incidents of indiscipline have been reported.

The military observers of the United Nations Transitional Administration in East Timor (UNTAET) are deployed throughout the territory and have also set up 11 liaison posts on both sides of the border with West Timor to ensure appropriate liaison between the International Force, East Timor (INTERFET) and the Indonesian armed forces and to facilitate the return of refugees.

The planning for the establishment of UNTAET's military component is proceeding in close consultation with INTERFET. The transition from INTERFET to the United Nations is to take place during the month of February, from the beginning to the end of that month, on the basis of an agreed concept that will ensure that a strong operational capacity will be maintained throughout. While much of UNTAET's force will come from INTERFET, a number of important assets will need to be brought in from abroad. These include, in particular, engineering units and helicopter support. The Force Commander, as the Secretary-General has announced, will be an officer from the Philippines and the Deputy Force Commander will be an officer from Australia.

Turning now to the return of refugees and the humanitarian situation, globally the humanitarian situation has improved, although it remains very difficult in the wake of the extensive destruction that took place following the announcement of the results of the popular consultation. The coordination of humanitarian relief activities among United Nations agencies, government

agencies and non-governmental organizations has been very effective.

Ensuring the voluntary return of refugees remains a top priority of UNTAET. As of yesterday, close to 120,000 refugees had returned. Despite the agreement between INTERFET and the Indonesian forces, which was reached on 22 November under the auspices of Ambassador Holbrooke, there has been no significant increase in the rate of return. Several factors, I think, may account for this; one of them is continued intimidation and misinforming of refugees in West Timor by militias; another is the lack of infrastructure, aggravated by the rainy season, which may be acting as a deterrent. In addition, there are indications that the number of refugees still in West Timor do not foresee, for various reasons, or do not wish, for various reasons, to return in the immediate future to East Timor.

Relations between UNTAET and the East Timorese are very good. UNTAET is administering East Timor in accordance with Security Council resolution 1272 (1999), in close cooperation and consultation with the Timorese, as envisaged under that resolution. To this end, UNTAET has established the National Consultative Commission of East Timor, which will be the primary mechanism for cooperation with the East Timorese. The Commission is chaired by Mr. Sergio Vieira de Mello, the Secretary-General's Special Representative and Transitional Administrator, and will be composed of 15 members. Seven of them are designated by the Council of National Resistance of East Timor (CNRT), a broad coalition that favoured independence; Mr. Jose Alexandre Gusmão, also known as Xanana Gusmão, and Mr. Jose Ramos Horta, who returned to East Timor on 1 December after 24 years in exile, are the acknowledged leaders of the CNRT. Three members of the Commission are designated by political parties that supported autonomy and one by the Catholic Church, and four will represent UNTAET.

The first meeting of the National Consultative Commission was held on 11 December, and the next meeting is scheduled to take place on 28 or 29 December. The Council will create sectoral committees that will comprise East Timorese and international experts. Members of the Consultative Commission attended the donor conference in Tokyo as part of the United Nations delegation, including Mr. Xanana Gusmão, who addressed that meeting.

While two of the seats allocated to the pro-autonomy parties have yet to be filled, the fact that their participation was readily agreed to by the CNRT is a positive sign as regards prospects for national reconciliation. There have also been meetings between CNRT representatives and pro-autonomy groups abroad. Another positive development was the meeting on 12 December between Xanana Gusmão and Mr. João Tavares, a militia leader, and the subsequent announcement by the latter of the militia's disbandment.

The establishment of good relations between East Timor and Indonesia is also high on UNTAET's agenda. At the end of November, Mr. Gusmão visited Jakarta at the invitation of President Wahid. Mr. Gusmão was warmly welcomed by President Wahid and other senior Indonesian officials, who assured him of their determination to build friendly relations with East Timor. They also undertook to assist in a number of areas, including the release of all remaining East Timorese political prisoners, and I am happy to report that this has occurred since then.

Mr. Vieira de Mello also visited Jakarta earlier this month, where he met with President Wahid and other senior officials. They discussed, among other things, the establishment of an Indonesian representation in Dili, the resumption of flights between Indonesia and East Timor by Indonesian carriers and future commercial links and cooperation on banking and financial services. It was also agreed, subject to a decision by the Indonesian Cabinet, to constitute a working group with UNTAET participation, which is to work out measures to end militia harassment of East Timorese refugees still in West Timor. The Secretary-General has invited President Wahid to visit East Timor, and President Wahid has accepted and indicated that he will visit at an early opportunity.

Turning to governance and public administration, UNTAET has now established a skeleton administration in East Timor, including an effective presence in each of the 13 districts of East Timor. The immediate priorities for the administration are the restoration of essential infrastructure, the provision of basic social services, the recruitment of civil servants and the revival of commerce and trade. A total of 275 civilian police are deployed throughout the territory, and UNTAET is making every effort to begin the training of Timorese police by the beginning of February.

INTERFET, together with United Nations police, continues to uncover the bodies of persons who were killed during the period leading up to and after the ballot

on 30 August. Steps have been taken to record and secure the evidence for further investigation once the requisite expertise and facilities are available. The United Nations is working with several Governments that have offered assistance. The Special Rapporteurs on extrajudicial, summary or arbitrary executions and on the question of torture and violence against women visited East Timor from 4 to 10 November. The international commission of inquiry established by the Commission on Human Rights visited East Timor from 25 November to 8 December. Both groups are expected to report to the General Assembly in the near future.

I wish to acknowledge with appreciation the assistance of those Governments which have given us the names of experts for the broad range of functions that UNTAET has to carry out in East Timor. However, there are still significant gaps in the staffing of UNTAET, particularly in the fields of labour and social affairs. We are also searching for an appropriate official to serve as the ombudsperson.

UNTAET will be working with the East Timorese civil servants, whose recruitment will begin in the near future. The Timorese have agreed that the civil service, which used to be subsidized from Jakarta, should be much reduced to a size that East Timor can afford and can itself sustain once UNTAET leaves. UNTAET is in the process of setting up a commission, composed mainly of East Timorese, to deal with the appointment of civil servants and to determine salaries and other conditions of employment.

The President: I thank Mr. Annabi for his comprehensive briefing.

Mr. Buallay (Bahrain) (*spoke in Arabic*): The question of East Timor has proved to what extent success can be found in reaching a solution to a problem, however large, with the cooperation of the parties concerned and the assistance of the United Nations.

It is certainly true that this large operation would not have succeeded without the genuine will shown by Indonesia to reach a solution, a will later translated into recommitment to the agreements it has entered into. We should also like to pay tribute to Portugal for the efforts it made in the process.

Rebuilding East Timor economically and administratively is of utmost importance. Such rebuilding cannot be separated, under any circumstances, from national reconciliation and the building of good relations between East Timor and its neighbours, in particular with Indonesia. Such a relationship must be based on cooperation and on setting the past aside and looking to the future.

Among the tasks to be undertaken by the United Nations Transitional Administration in East Timor is the increasing and coordinating of assistance to displaced persons and returnees. In this regard, greater support should be provided by donor countries, and we are pleased to note the positive results of the pledging conference held recently in Tokyo. Financial pledges made at that conference will help the United Nations in its work in East Timor.

We would also like to express our satisfaction at the means used to ensure the safe return of refugees to their homes in East Timor. In this regard, we would like to convey our gratitude and appreciation to the United Nations Transitional Administration in East Timor, under the leadership of Mr. Sergio Vieira de Mello, Special Representative of the Secretary-General for East Timor, for its efforts. We wish it every success in transforming the International Force, East Timor (INTERFET), from a multinational force to a United Nations peacekeeping operation.

Ms. Soderberg (United States of America): First I wish to commend you, Mr. President, for holding this open session today. Quite often when crises fall from the front pages of the newspapers, the Council's attention can get swayed to other crises, and I think, particularly with respect to East Timor, that it is crucial that the international community remain engaged. I also appreciate the update from Assistant Secretary-General Annabi.

I think that overall one would have to say that great progress has been made over the last year, starting with the United Nations leadership in organizing the consultation, the international community's mobilization to ameliorate the circumstances following the disturbances that occurred in the wake of the consultation, and the swift move of both the multinational Force, led by the Australians, and the United Nations leadership.

I think that overall the United Nations operations and the multinational Force are going well and are working quite well in a unique arrangement. I think one must give due credit to the very stellar leadership of the

Special Representative of the Secretary-General, Mr. Sergio Vieira de Mello. He has displayed command and control and laudatory leadership in what is a very difficult situation on the ground, and I think he deserves the applause and credit of this body.

There has been substantial progress on the ground, due in large part to the leaders on the ground in East Timor but also to the very direct engagement of the international community. I would like to welcome in particular Mr. Gusmão's meeting with the former pro-integrationists as well as the militia's subsequent decision to lay down its weapons. I think that these are both significant developments that will help to stabilize the situation on the ground.

The transition to the Blue Helmets will occur early next year, as Mr. Annabi told us in his briefing, and I think all indications are that that will go quite well. We are also quite pleased with the results of the Tokyo pledging conference. To date the United States has provided $34.9 million to the international humanitarian effort, and we have also provided $30 million to the United Nations appeal to assist refugees and displaced persons. The United States also hopes to provide additional assistance in development and capacity-building for the people of East Timor, as well as assistance to small farmers.

It is important, I think, that the United States remain an active partner with East Timor and with the international community and other donors, and that it remain engaged in the ongoing reconstruction efforts. That said, there are concerns that we continue to have about the situation on the ground. Certainly we are deeply troubled by the information provided by Mr. Annabi about the failure to achieve an increase in the return of the inhabitants of East Timor. We certainly had hoped that that would move forward in a more timely fashion, and this is something that the United Nations and the international community must keep as a priority. We also believe that it is time for the Government of Indonesia to resettle from the camps those East Timorese who opt to remain primarily in Indonesia.

We certainly look forward to reading the report of the international commission of inquiry. I think it is important to support that Commission as well as the Indonesian commission of inquiry, and that their investigations bring out the facts of what happened in the violence that took place in East Timor.

The need for accurate information about conditions in East Timor is crucial, as is complete and safe access by international workers. I believe that it is important that the facts come out in this case, not just on the conditions but also with respect to any additional evidence of the killings that have occurred in East Timor. I think that certainly we would all want those responsible to be held accountable for this.

Lastly, I think the international community has made an enormous investment in East Timor, and with continued leadership and international engagement, the people of East Timor will be assured of a secure, peaceful and prosperous future.

Mr. Fowler (Canada): I would like to begin by thanking Mr. Annabi for yet another excellent and comprehensive briefing and by extending Canada's appreciation to the Special Representative of the Secretary-General, Mr. Sergio Vieira de Mello, and all the men and women of the United Nations Transitional Administration in East Timor (UNTAET) and the International Force, East Timor (INTERFET), as well as those involved in the delivery of humanitarian assistance in both East and West Timor. As a result of their coordinated efforts to date, as well as the efforts of the East Timorese themselves, East Timor has made truly remarkable progress.

We are now beginning to move beyond the most pressing security challenges to the challenges of post-conflict reintegration, reconstruction and development. However, the plight of those still in West Timor remains a source of serious concern to us. There are persistent reports that pro-autonomy militias continue to intimidate refugees in camps in West Timor and are hindering their return, including through the use of an active disinformation campaign. We therefore urge the Government of Indonesia to take further steps to address the situation so as to ensure that all displaced persons who wish to return can do so in safety and in dignity.

In this regard we welcome the agreement reached between Mr. de Mello and the Indonesian Minister of Defence to establish a joint working group. We anticipate that this group will move urgently to address the concerns of the displaced and facilitate their early return and resettlement.

Mr. de Mello's efforts to streamline UNTAET and to improve coordination and consultation with the people of East Timor are especially welcome. We are pleased to

note that the early tension which marked UNTAET's relationship with the National Council for East Timorese Resistance (CNRT) appears to have been resolved. The establishment of the National Consultative Commission should help to engage the East Timorese more fully in the process of transition and administration and, of course, will help to foster indigenous capacity for self-governance.

We understand that, while plans have not yet been finalized, the transition from INTERFET to UNTAET should begin in mid-January 2000 and should end by 28 February. As we have stated repeatedly, this mission could have been and should have been a United Nations peacekeeping operation from the beginning, and I am pleased therefore that our Canadian soldiers will wear blue helmets before they leave at the end of March.

Once established, a peacekeeping operation commanded and funded by the United Nations will increase the regional legitimacy of the force and will attract greater Asian participation. It will also relieve the financial burden assumed by those that have contributed to INTERFET. Sharing such a burden among the wider international community is the essence of our collective security arrangements, which we believe underpin this Organization.

I do not know whether other members of the Council will be fully aware of the extent of the enormous financial contribution which the Government and the people of Australia have made, on behalf of us all, to this mission, or of the fact that, in order to pay for the operation, a special and significant tax has been levied on all Australians above a certain income level. While this extraordinary generosity on the part of the Government and the people of Australia is deeply appreciated — and it is certainly admired by my Government — this is not the way the United Nations was supposed to operate.

The establishment of a rapidly deployable headquarters would, of course, have contributed enormously to the goal of deploying this and other United Nations peacekeeping missions more quickly and more effectively; we regret extremely that progress on this front within the Secretariat has been so very marginal.

Canada fully supports the efforts of the international commission of inquiry, as well as those of the Indonesian National Commission on Human Rights. Anyone found responsible for human rights violations should, of course, be brought to justice. We understand that the commission of inquiry should be submitting its report soon, and we hope that the commission of inquiry and the Indonesian National Commission on Human Rights will continue to cooperate and to share information in order to increase the effectiveness and credibility of their respective findings.

Mr. Fonseca (Brazil): Thank you, Mr. President, for convening this open meeting on East Timor. We are grateful also to Mr. Annabi for his comprehensive briefing.

At the outset, my delegation would like to speak a word of praise for the personnel of the United Nations Transitional Administration in East Timor (UNTAET) and of the International Force, East Timor (INTERFET), for the excellent work they are doing.

In April of this year the Brazilian delegation asked the Secretary-General to brief the Security Council on the incidents that had taken place in Dili on the preceding weekend. That request for information marked the reactivation of an item that had been dormant in the agenda of the Council. That was only the beginning of the final chapter of a long and painful process in the direction of self-determination for East Timor. The Security Council utilized all instruments available, including the highly successful mission led by Ambassador Andjaba. East Timor is an important source of lessons for the Council in its future action.

The Brazilian people have always fully supported the goal of an independent East Timor. In April, however, we did not suspect that so much suffering was still to come.

Today's briefing marks the start of the reconstruction of East Timor. The very positive response by the international community to the donors conference held in Tokyo last week surpassed our best expectations. We understand that much of the resources pledged at that conference are still dependent on legislative approval and are to be disbursed over a three-year period. We hope that the commitments undertaken in Tokyo will be secured.

Brazil commends Japan and Portugal for their generosity. Brazil is going to make a modest contribution to the trust fund, and is ready to support East Timor in training human resources as well as through the provision of technical cooperation. In that context I note that Ambassador Roque Rodrigues, Chef de cabinet of

Mr. Xanana Gusmão, is visiting Brazil and has been received by our highest authorities.

The Tokyo meeting highlighted the good results that fluid cooperation among Member States, the United Nations and the Bretton Woods institutions can yield. Mr. Sergio Vieira de Mello and Mr. Jean-Michel Severino, the World Bank's Vice-President, East Asia and Pacific Region, deserve our applause for their leadership in steering the meeting. That kind of leadership will be necessary in the coming task of promoting post-conflict peace-building and national healing. The reconstruction of the physical infrastructure will have to be matched with a political effort for further reconciliation in the transition to independence.

Brazil considers that the National Council for East Timorese Resistance (CNRT) has a very important role in that regard. We are encouraged by the actions of the CNRT leadership, such as the meeting held in Singapore at the beginning of the month between CNRT officials and former pro-integration politicians, which translated into deeds the aspiration expressed by Xanana Gusmão while in prison to unite the East Timorese. That attitude of forgiveness should not prevent the implementation of a thorough investigation to establish responsibility for the violence that was unleashed upon the East Timorese.

We still have security problems, as Mr. Annabi clearly indicated. We have learned that some of the so-called militias have been dissolved. But others continue to prevent internally displaced persons from returning to East Timor. It is necessary to create the conditions for their return.

With the support of the international community, UNTAET will assist in the building of democratic institutions in East Timor and in the economic rehabilitation of the territory.

Brazil's present term on the Security Council will end in a few days. We will continue to work to support the Council and the United Nations in the fulfilment of their responsibilities with regard to East Timor. After independence, when UNTAET will have left the country, the United Nations will continue to have a role in assisting the Timorese people to build a prosperous and democratic country.

Mr. Granovsky (Russian Federation) (*spoke in Russian*): We too express our gratitude to the Assistant Secretary-General, Mr. Annabi, for his comprehensive briefing.

We note with satisfaction the recent positive trend in the situation in East Timor, which is reflected in Australia's fifth periodic report on the operations of the International Force, East Timor (INTERFET) (S/1999/1248, annex). That report speaks of good prospects for achieving security and indicates that the threat posed by militias has essentially been eliminated. In that connection I should like to emphasize the importance of a well-planned transition from INTERFET to a United Nations peacekeeping operation, which will be the objective of a comprehensive transition plan.

East Timor faces a multitude of tasks, dealing with which will require support from the international community and the active involvement of the East Timorese themselves. Exceptionally important in that connection is the establishment of a mechanism for consultation with the inhabitants of the territory, of institutions of self-government and of other institutions of civil society.

Needless to say, the situation in East Timor is not free of problems, as we can see from the note by the Secretary-General of 10 December 1999 on the situation of human rights in East Timor (A/54/660) and from media reports of the recent discovery of mass graves in the territory. There is also the urgent issue of temporarily displaced persons.

Nonetheless, progress towards normalization in East Timor is evident. We are convinced that a climate conducive to this has been created largely thanks to United Nations staff, first and foremost the Special Representative of the Secretary-General, Mr. Sergio Vieira de Mello.

In conclusion, I must reaffirm that Russia intends to participate in the activities of the various components of the United Nations Transitional Administration in East Timor.

Mr. Chen Xu (China) (*spoke in Chinese*): First, we want to thank Assistant Secretary-General Annabi for his briefing. The Chinese delegation is very gratified by the continued stability of the situation of East Timor. We are very happy to note that the United Nations Transitional Administration in East Timor (UNTAET) is being smoothly deployed, and we pay tribute to the Special Representative of the Secretary-General, Mr. Vieira de

Mello, and his staff for having done a tremendous amount of work in extremely difficult conditions on the ground.

It is our consistent view that the United Nations presence in East Timor is for the purpose of helping the East Timorese realize independence and self-reliance. The principle that this depends mainly on the East Timorese themselves should be maintained, and, to the extent possible, more local people should be brought into this process and encouraged to play a positive role. Therefore, we fully support the work of the Consultative Commission of East Timor, which, in our view, is a good way to allow the local people to participate in the decision-making process. We welcome the positive result of the donor conference held in Tokyo, which we believe will facilitate the laying of a solid financial foundation for East Timor's transition to independence. Only when reconciliation has been realized can peace and independence be possible in East Timor. We have taken note of the fact that Mr. Gusmão has indicated his commitment to work for conciliation among all parties, particularly between the pro-integration party and the pro-independence party. He has also indicated that he is willing to fully cooperate with UNTAET. We acknowledge this with deep appreciation.

We hope that the International Force, East Timor, will soon be turned into a United Nations peacekeeping operation, and in this regard, the Secretariat should accelerate the relevant preparatory work. We also hope that the composition of the peacekeeping force will be more balanced.

To conclude, China supports the work of UNTAET and will continue to provide personnel and financial help within its capabilities.

Mr. Türk (Slovenia): Mr. President, I wish to begin by expressing our appreciation to you for enabling the Security Council to consider the recent developments in East Timor in the present format. We believe that an open briefing is most suitable, since the issue of East Timor has been receiving serious attention, not just from Security Council members, but also from many other United Nations Member States present today.

I wish to make a few brief remarks concerning the major issues referred to in the briefing by the Assistant Secretary-General, Mr. Hédi Annabi, who briefed us with his usual sense of comprehensiveness and lucidity, and I thank him for the briefing. The donor conference in Tokyo was an extremely important event. It was aimed at raising funds to help rebuild East Timor and ended with over $500 million in pledges. We wish to express our appreciation for the generous attitude of many donors, which testifies to their true commitment to address the urgent and long-term needs of East Timor. We would particularly like to stress the fact that this was achieved in close and coordinated partnership among the world financial institutions, the United Nations and the East Timorese.

From among the political and factual problems on the ground, we consider the problem of the safe and timely return of refugees to be of paramount importance. We note with satisfaction the agreement on establishing a joint border commission, brokered by Ambassador Holbrooke during his visit last month to the region, which addresses the problem of the return of refugees.

But the picture presented by Mr. Annabi today remains bleak. Clearly, further efforts are needed. In that context, we wish to lend our full support to the Office of the United Nations High Commissioner for Refugees and others present on the ground in the effort to assure the return of refugees in safety and dignity.

We would like to express our appreciation to Australia, as the leading nation, for the periodic reports on the operations of the International Force, East Timor (INTERFET), and we emphasize the importance of the lead taken by the regional States in that operation. We commend INTERFET for the effective implementation of its responsibilities under the Security Council resolution. We are hopeful for INTERFET's early transition to a fully-fledged peacekeeping operation. We are confident that a period of transition from INTERFET to the United Nations peacekeeping force will be carefully managed so as to ensure continuity during that period. We believe that the remarks and explanations provided to us by Mr. Annabi today were extremely reassuring in that regard.

Given the scope and nature of the violations of human rights and humanitarian law that have taken place in East Timor, Slovenia has all along supported the need for investigations into crimes and into the efficient delivery of justice. We believe that full reconciliation and a new, prosperous future for East Timor will be possible only if built on a platform of justice, equality and the rule of law. In this context, we welcome the recent report on the joint mission to East Timor undertaken by the three Special Rapporteurs, in accordance with the Commission on Human Rights resolution of 27 September 1999. We note the recommendations made in that recently published

report. We look forward to the report by the commission of inquiry, which is due at the end of this month.

Another important element in rebuilding East Timor is the reconciliation process, which is essential for achieving stable conditions for sustainable development. We strongly hope that the next round of reconciliation talks will make further progress in this area.

We would like to emphasize the strong commitment and interest of the East Timorese themselves in constructively contributing to all aspects of shaping their common future. In that context, we welcome the establishment of the National Consultative Commission as the essential instrument for the meaningful participation of East Timorese in decision-making and for strengthening the independence process of East Timor.

Finally, we would like to express our appreciation to the Secretary-General, his Special Representative, Mr. Vieira de Mello and all others participating in the effort to bring peace and post-conflict reconstruction in East Timor.

Mr. Dejammet (France) (*spoke in French*): I would like to join those who have expressed their gratitude to you, Mr. President, for having organized this discussion. I would also like to thank Mr. Annabi for the information he has given us, which enables us to make an up to date appraisal of the situation in East Timor.

The information is generally positive, and this is obviously a source of satisfaction for the members of the Security Council. Ambassador Fonseca has rightly recalled that it was Brazil that, in April, began alerting Council members to the evolution of the situation. I think, in hindsight, we can see that the past months have for once given us an example of effective and positive action by the Security Council. The credit goes to one of the members of the Council, Brazil, and obviously to the effective action taken by Portugal, and then, through the crisis of doubt in September, to the efforts of successive Presidents of the Security Council — all of this, I think, should be recalled.

Today the indications regarding the functioning of the United Nations Transitional Administration in East Timor (UNTAET), I repeat, lead us to be rather optimistic. All of this no doubt is attributable to the clear-cut objectives of the Special Representative, in particular his emphasis on the idea of national reconciliation. I believe that when a senior official of the United Nations shows such a commitment, when he engages the efforts of the entire fine staff he has been able to put together, positive results are guaranteed.

Thus, we are seeing meetings between militia chiefs who were considered opposed to independence and the current leaders of the Timorese pro-independence movement. We are seeing such meetings being organized, we are seeing institutions of all sorts established, including both administrative and judicial institutions. We are seeing the achievement of national pacification and reconciliation, a goal of United Nations missions, both here and in other situations throughout the world. I believe that given these developments a most sincere tribute should be paid to Mr. Vieira de Mello and to the team he has put together.

Positive results can already be seen. I believe one such positive result was already seen at the donors meeting. The international community is witnessing an undertaking that is succeeding, and it is responding generously to the appeals that are being made. The donors conference that was held recently in Tokyo produced results that exceeded expectations.

This is clearly for the good, and I also believe that here for once we can make a comparison between the situation in this Asian region and what is happening in Europe. People often talk about a double standard, a disproportionality between what is done for Europe and what is done for the rest of the world. I believe that what we should bear in mind is the generosity that has been shown as regards Timor, assistance that has come not only from the European Union but also in the form of bilateral aid from a number of countries of the region — I am thinking of Japan, of Australia, of Thailand; in fact, I am thinking about almost all the countries of Asia, which have responded to the appeal with most generous bilateral assistance. I would hope that such generosity could also be shown as regards another region, Kosovo, which certainly has need of financial support from the international community if we wish to give the United Nations Mission there the same chance of succeeding as that of the current mission in Timor.

Positive results are also being seen in the return of refugees, although we are aware that there are still several tens of thousands of refugees who have not been able to return. In this regard, I would like to ask Mr. Annabi if these statistics can be explained either by the fact that refugees are of their own will refusing to return or by other reasons. In spite of the security conditions in East Timor, in spite of the will to achieve

national reconciliation that has been confirmed by UNTAET and by the Timorese leaders who have come together around Mr. Vieira de Mello — in spite of all this positive news, are there some refugees who are of their own will refusing to return to East Timor, or is it because of logistical problems, the conditions of roads, transportation problems, and so forth.

The second positive piece of information is clearly the rapid transformation of an operation that in the beginning was authorized by the Security Council, but of an intergovernmental nature, into a United Nations peacekeeping operation. In this regard, I must note my complete endorsement of the ideas so forcefully presented by the Canadian representative. He was without doubt correct in stressing that this operation must be a United Nations operation.

As in this case, the reality is often that in order to act rapidly we are sometimes led to use the formula of giving Security Council authorization for a multinational force. In this case Australia is deserving of the praise it has received for taking the principal responsibility for the burden of this operation and for assuming the costs that have already been rightly noted by Ambassador Fowler. Again, this is explained by the urgency of the situation and by the need to act quickly. This has not been our only experience with such a case. We have seen similar cases in Africa, as well as in Europe, with operation Alba.

Nonetheless, the members of the Security Council who emphasize that our objective should be the deployment of a genuine United Nations operation with obligatory financing are right. This is why I, like Ambassador Fowler, can only be pleased that in the very near future the transformation of the mission in East Timor will take place and that we are going to undertake a peacekeeping operation.

The only question that I would like to pose to Mr. Annabi in this regard is whether the high figure that has been projected — more than 8,000 men just for this operation, with all the costs entailed — is it possible that at some future date this figure could realistically be reduced, while ensuring, of course, that the security conditions are maintained.

Here again, we have a situation that seems to be progressing satisfactorily on the ground. Bearing in mind the importance of maintaining the processes under way to promote human rights, which are linked to the strengthening of national reconciliation, is it not possible that the size of the military part of the operation could be reduced? It is up to the Secretariat to provide us information in this regard.

I repeat, the total cost of the operation is large. It is perfectly justified. It is producing positive results. Let us keep this in mind when we consider the situation in Kosovo, where the international community's financial involvement is, unfortunately, not so great.

Mr. Petrella (Argentina) (*spoke in Spanish*): I would like to thank Mr. Annabi. From the information he has provided and from the latest report of the International Force, East Timor (INTERFET), we note with satisfaction that the situation in East Timor has improved markedly. We commend the International Force and all the participating countries for the excellent job they are doing. In particular, I would like to mention the work being done with such dedication and professionalism by the Special Representative of the Secretary-General and head of the United Nations Transitional Administration in East Timor (UNTAET), Mr. Sergio Vieira de Mello. His arrival in the territory last November gave a great boost to the expansion of UNTAET and to the planning of a true peacekeeping operation.

As regards security, we are glad to see that at present there are no significant threats to peace and that during recent weeks there have been no significant incidents. This is essential for the return of displaced persons, for the reduction of the forces of INTERFET and for the success of UNTAET in general.

We think it is very positive that, in the area of border management, the Indonesian authorities and INTERFET are maintaining cooperative relations on the basis of the memorandum of technical understanding signed on 22 November.

We are grateful to the Philippines and Australia for having provided military staff for this operation.

We are concerned by the humanitarian situation, in particular the serious problem of refugees in West Timor and elsewhere in Indonesia who need to return to East Timor. Over 110,000 have already done so, but much remains to be done. In this regard, it is essential, through INTERFET and the military component of UNTAET that is to replace it, to ensure the safety of humanitarian personnel. The Office of the United Nations High

Commissioner for Refugees should also have access to all refugee camps.

We are concerned about the apparent ongoing intimidation of refugees by the militia to prevent their return. However, the meeting of Mr. Gusmão with the militia leaders would seem to indicate that the intimidation will cease.

Finally, we wish to express our satisfaction with the success of the meeting of donors held in Tokyo last week. The high level of response, exceeding $500 million, is clear manifestation of the international community's support for East Timor.

Mr. Kamal (Malaysia): First and foremost, my delegation would like to commend you, Sir, for holding the open briefing on the situation in East Timor this morning. This is very much in line with our consistent position calling for more transparency in the work of the Council, particularly as the issue is of great interest to many Members of this Organization.

We would like to thank Mr. Annabi for his very comprehensive and yet succinct briefing this morning. We note with satisfaction the relative calm and stable situation in East Timor, which we hope will be conducive to the reconciliation efforts that are being undertaken among the East Timorese. In this regard, we welcome the recent meeting between Mr. Gusmão and the pro-autonomy leaders, particularly with Mr. João da Silva Tavares, and the subsequent announcement of the formal dissolution of the militia organization and the hand-over of weapons to the Indonesian army.

It is our firm belief that all East Timorese, of any political backgrounds and persuasion whatsoever, have a place in the future independent East Timor. We therefore urge the United Nations Transitional Administration in East Timor (UNTAET) to assist further, in close consultation with the East Timorese leadership, towards a successful process of reconciliation among them.

We were also gratified to hear from Mr. Annabi of the good relations that have existed between the Government of Indonesia and the East Timorese, particularly when he mentioned the recent visit of Mr. Gusmão to Jakarta, where he was warmly welcomed by President Abdurrahman Wahid of Indonesia. The other developments he mentioned — the release of the East Timorese political prisoners, the proposed opening of Indonesian representation in Dili, the resumption of lighting, the future commercial bank and the intention of Abdurrahman Wahid to visit East Timor — are all very positive and we welcome them.

In this regard, as my delegation has stated before in Council debate, in shaping the future of East Timor, due recognition should be given to the unique roles that Indonesia and Portugal have played in the context of history and, in the case of Indonesia, also in the geopolitical context. It is important that the future East Timor Government come to terms with this reality and begin the process of forging constructive and mutually beneficial relationships with them, especially with its important neighbour. We believe that this relationship is also the wish and desire of both countries, particularly Indonesia, which is physically inseparable from East Timor, with which it shares land and sea boundaries. UNTAET can assist in laying the groundwork for such cooperation.

We hope that all the refugees will be repatriated as soon as possible to their homes and given assistance to rebuild their lives. In this regard, we welcome and commend the cooperation and commitment of the Government of Indonesia to International Force, East Timor (INTERFET) and the United Nations, culminating in the signing of the memorandum of technical understanding on border management, which represents a positive step forward in managing the border regions and signals a new level of cooperation between the Indonesian Government, INTERFET and UNTAET. Even more, we are of the view that it will help to ensure the safe and secure return of displaced persons to East Timor.

We also wish to commend all the donor countries that participated in and contributed to the recent successful donors meeting in Tokyo recently. This is indeed testimony to the acute concern and support of the international community for the East Timorese people in the preparations for their independence in the near future.

In conclusion, as a regional neighbour, Malaysia looks forward to a future independent East Timor's playing a full and constructive role in regional affairs and to its integration with the region.

Mr. Jagne (Gambia): My delegation would like to thank you, Sir, for convening this meeting in this format. We are also grateful to Mr. Annabi for his important and useful briefing.

Since the announcement of the results of the popular consultation, the United Nations, together with the Governments concerned, has made enormous progress in seeing to it that the wish of the East Timorese people for an independent East Timor is being implemented. My delegation would therefore pay tribute, in particular, to the Government of Indonesia for its vital cooperation throughout this period, without which we would not have reached the point where we are today.

We would also like to pay a special tribute to Australia and the countries which have contributed troops to the International Force, East Timor (INTERFET). Without their timely intervention, the situation in East Timor would have been something else altogether.

My delegation is glad to note that the United Nations Transitional Administration in East Timor (UNTAET) has now been established and its military observers deployed. We note with satisfaction that international staff of the United Nations are arriving in East Timor and starting their work. My delegation welcomes the appointment of Sergio Vieira de Mello as the Secretary-General's Special Representative and transitional administrator for East Timor. There could not have been a better choice.

We were heartened to learn that relations between UNTAET and the East Timorese are very good. This augured well for the donor conference, reported to have been very successful. We join others in thanking the Government of Japan for its preponderant role, as both host and donor, in making it a resounding success.

It is also pleasing to note that UNTAET has established a skeleton administration. The Government of the Gambia has contributed a sizable number of civilian police and is ready to contribute more. We are also willing to provide civil servants to work with UNTAET.

My delegation also notes with satisfaction the laudable efforts being made by President Wahid and Mr. Gusmão to place East Timorese-Indonesian relations on a firm footing. We hope that the international community will continue to support these commendable initiatives.

Finally, we have every reason to believe that, apart from the problems associated with the lack of infrastructure and the fate of the large number of refugees still in West Timor, the future of East Timor is very promising indeed. The Ambassador of France made reference to the generosity of the donor community regarding East Timor and wished that the same degree of generosity was extended to other regions. My delegation cannot agree more with him that by demonstrating the same zeal, the same resolve, the same degree of enthusiasm and the same degree of generosity we would succeed as a community of nations in making this small planet that we all share a much better place for present and future generations and would assure all our children and their children's children a bright, bright future.

Mr. Andjaba (Namibia): Mr. President, I thank you for organizing this open briefing. I want to take this opportunity also to thank Mr. Annabi for the comprehensive briefing on the situation in East Timor.

My delegation is gratified by the progress being made with the establishment of the United Nations Transitional Administration in East Timor (UNTAET) and is pleased that its deployment remains on schedule. We regard this as important to ensure that the transition from the International Force, East Timor (INTERFET) to a United Nations peacekeeping operation takes place as soon as possible. In this regard, we pay a special tribute to Mr. Vieira de Mello and his staff for the efforts they are making under difficult conditions.

With regard to the security situation, my delegation is glad to note from the briefing and the latest INTERFET report that there are no significant threats to peace and security in East Timor. Thanks in particular to the clamp-down on militia activities and the negotiation efforts, we trust that situation will further improve. In this connection, we commend the leadership provided by Australia, and we thank all the countries that have provided troops and contributed to the work of INTERFET.

A less positive aspect is our concern about the continuation of intimidation by militias in West Timor, which hampers the repatriation of refugees. We welcome the undertaking by Mr. Tavares to disband his militia group and hope that the repatriation rate will now increase. At the same time, we are convinced that the prosecution of captured militia members under a new judicial system could further serve as a deterrent for other criminal militia activities.

I also want to take this opportunity to commend the efforts of the Office of the United Nations High Commissioner for Refugees (UNHCR) to, *inter alia*, inform the refugees about repatriation conditions in East Timor. These methods are crucial in the process of

restoring refugee confidence and in order to counter militia propaganda.

I would like to take this opportunity to commend my colleague, Ambassador Holbrooke, who is not here with us today, for the success achieved during his recent visit to East Timor. Ambassador Holbrooke's visit had a very positive impact on the plight of the refugees in West Timor, as he managed to attract more attention to their situation, which in turn resulted in more concrete steps being taken with regard to them.

We also welcome the establishment of relations between the leaders in East Timor and in Indonesia, and the visit by Mr. Gusmão to Jakarta at the invitation of the President of Indonesia is very much welcomed. These efforts must be supported by the international community.

Last but not least, my delegation welcomes the excellent response by the international aid donors in Tokyo, who pledged more than the amount estimated by the World Bank for East Timor's reconstruction. We hope that these pledges will turn into reality to fund reconstruction and humanitarian efforts in that ravaged country over the next few years.

I would also like to echo the sentiments expressed by Ambassador Dejammet with regard to the need for increased donor response to other situations in other parts of the world.

Mr. Eboumy (Gabon) (*spoke in French*): My delegation also wishes to thank the presidency for having convened this briefing and Mr. Annabi for the very useful information he has provided us.

On 30 August 1999, in the popular consultation held throughout the territory, the East Timorese people spoke out in favour of a transition to independence. Last November the People's Consultative Assembly of Indonesia ratified the result of that referendum. Today, as a result of this positive evolution, and also as a result of our actions, including Security Council resolution 1272 (1999) of 25 October 1999, East Timor has a Transitional Administration entrusted with a complex and well-defined mandate to move the country towards self-government. Supported by the International Force, East Timor (INTERFET), we are confident that the United Nations Transitional Administration in East Timor (UNTAET) will be able to fulfil its task successfully. However, it should be noted that the financial and material support of the international community, including that of the international financial institutions, remains necessary if the UNTAET mandate is to be successful. In this regard, we welcome the pledges recently made in Tokyo.

Now, when East Timor is ready to stand independently, there are many challenges to overcome, particularly those related to reconstruction and development. However, working together, the Timorese people will be able to achieve their objectives. In this connection, we encourage all refugees and displaced persons to return to their towns and villages so that they can participate in the building of new institutions and in the reconstruction of their future country.

Regarding the militias that continue to intimidate and disseminate misinformation, we ask them to accept the new circumstances. We wish to remind them that continuous flagrant violations of human rights and international humanitarian law will not go unpunished. Furthermore, we are confident that the cooperation of all will be helpful to shed light on the cases of grave violations of human rights that took place immediately after the popular consultation.

We wish to pay a tribute to the members of the International Force, East Timor, the personnel of the humanitarian organizations and the personnel of the United Nations, in particular Mr. Sergio Vieira de Mello, Special Representative of the Secretary-General, for their courage and perseverance in working in such a difficult environment and context.

In conclusion, we trust that the administration of East Timor will plan to establish friendly and normal relations with all its neighbours, in particular with Indonesia.

Mr. van Walsum (Netherlands): We thank you, Mr. President, for calling this open meeting and Mr. Annabi for his briefing.

Circumstances have changed considerably and very much for the better since the last time the Council had an open debate on the subject of East Timor, which was on 11 September 1999. The new situation is also reflected in the fact that the General Assembly has decided to drop the item on the question of Timor from its agenda and include a new item on the agenda of the fifty-fifth session, entitled "The situation in East Timor during its transition to independence".

The Netherlands wishes to pay tribute to the countries participating in the multinational Force — the International Force, East Timor (INTERFET) — which has been essential in establishing a safe and secure environment, without which the current process of reconstruction could not have begun. I would like to mention in particular the lead nation, Australia, and the participation of Association of Southeast Asian Nations (ASEAN) countries. They have demonstrated their will to take on responsibilities for security in their region. This, of course, is the region to which East Timor belongs.

The Netherlands is encouraged by the positive developments in the relationship between East Timor and Indonesia. We understand that President Wahid intends to visit East Timor on 17 January, and we consider this step of great importance.

Of course, despite the improvements of the past few months, it should be realized that the people of East Timor are only at the beginning of a long process of rehabilitating their economy and society and building the institutions of a modern democratic State in which the rule of law prevails. As members of the Security Council have repeatedly stressed, the international community has a duty to help the East Timorese on this difficult road.

The Netherlands notes with satisfaction that, through a variety of channels, both multilateral and bilateral, aid is being offered. Mr. Annabi reminded us that, at the donor conference in Tokyo last week, $522 million was pledged. The Government of the Netherlands will donate approximately $7.3 million to the United Nations consolidated inter-agency appeal for East Timor. An initial contribution has already been made to the trust fund for the United Nations Transitional Administration in East Timor. During the new fiscal year, a further $2.3 million will be made available to that fund. Money left over from our contribution of $220,000 to the United Nations Mission in East Timor (UNAMET) trust fund can also be used for similar purposes under the United Nations Transitional Administration in East Timor (UNTAET). Finally, $1.8 million has been donated to the International Committee of the Red Cross (ICRC).

The diversity and intensity of international aid is, of course, very satisfying. However, in a sense, there can also be too much aid. The local absorption capacity of East Timor has to be taken into account. We have to make sure that East Timor does not become permanently dependent on outside aid instead of independent.

Furthermore, as with every complex operation involving several aid organizations, there is also the risk of a lack of synergy of aid efforts. We would be interested in hearing the views of the Secretariat on these considerations, including its thoughts concerning division of labour and of competences among the organizations involved.

We welcome the emphasis in the Secretary-General's report to the General Assembly on the need for the international community to work in close consultation and liaison with the East Timorese themselves. The Netherlands, as well as other Council members, has made the same point on previous occasions, and we are therefore pleased to see that agreement has been reached on the establishment of a National Consultative Commission. The Secretary-General states in his report that, through this consultative mechanism, UNTAET will ensure that the needs and wishes of the East Timorese people are fully represented in the implementation of the transitional administration.

There is another issue to which the Secretary-General's report rightfully draws our attention: that those responsible for grave violations of human rights must be held accountable for their actions. Both international and Indonesian investigative activities are taking place. We would like to hear the Secretariat's views on the interrelationship between these activities. We have received the report on the joint mission to East Timor undertaken by the three Special Rapporteurs of the Commission on Human Rights, and we hope that the report of the United Nations Commission of Inquiry will also be presented as soon as possible.

These reports can constitute important steps in the process of East Timorese reconciliation. From the perspective of my own country, I must mention one particular instance of human rights violations, namely the murder in East Timor in September of the Dutch journalist Sander Thoenes. We understand that INTERFET has concluded its investigation into the matter and now expect its report to be made available to the Secretary-General without delay.

Finally, while we speak in positive terms about developments in East Timor, there are still tens of thousands of refugees stuck in camps in West Timor and elsewhere in Indonesia. Mr. Annabi mentioned that close to 120,000 refugees had returned. INTERFET, FRETILIN and the Indonesian armed forces (TNI) have agreed on arrangements for the safety of border

crossings. Can we conclude that the message that it is safe to return to East Timor has come through to the refugees and that the efforts to intimidate them into staying are now subsiding?

Mr. Annabi mentioned the following reasons why refugees might not return: misinformation, a lack of infrastructure in areas to which refugees wish to return, and the absence of a wish to return in the immediate future for a variety of reasons. My delegation would appreciate receiving more detailed information on this matter. We cannot simply conclude that the matter is complex because we are dealing with such a mixed bag of motives. Some of these reasons fall under the heading of logistics, but intentional disinformation comes close to intimidation, and intimidation comes close to force. To that extent, we are dealing with an unresolved political problem.

Precisely because the Indonesian Government has adopted such a positive attitude in so many respects, we feel the Council should remind it today that under resolution 1272 (1999) it continues to be responsible for the safe return of refugees.

The President: I shall now make a brief statement in my capacity as the representative of the United Kingdom.

The United Kingdom very much shares the consensus of views around this table about the progress that has been made in East Timor and endorses the tributes that have been paid to those responsible for that progress. We also share the continued concern, particularly about the plight of refugees, in East and West Timor, and about accountability for human rights abuses.

Let me just say a word about the Tokyo donor conference, the results of which we very much welcome. This was an important contribution to the reconstruction of East Timor and to its smooth transition to independence. It is all the more welcome because the United Nations and the World Bank do not always cooperate so well together.

The United Kingdom pledged some $20 million over the three-year period to come. Although that is rather less than our commitment, for instance, to Sierra Leone, it is still a substantial sum. The funds will be channelled to UNTAET and to the World Bank trust funds, according to evolving needs. We need to be certain that these funds are used to ensure a simple, flexible and sensitive approach to East Timor's requirements which is well coordinated by UNTAET and by the World Bank. Disjointed bilateral approaches would risk overwhelming East Timorese capacity, so we want to underline this need for proper coordination of the most welcome funding that is now available.

I resume my functions as President of the Security Council.

I call on Mr. Annabi to respond to the comments and questions that have been raised.

Mr. Annabi: One set of questions related to the decrease in the rate of return of refugees from West Timor. As I said, we feel that this is due to a combination of factors. Some misinformation and intimidation is still going on, and that, of course, is one factor. According to the information we have, the fact that there has been extensive destruction in the territory and that some of the refugees are not sure that they will have a home to return to is possibly another factor. And finally, the third factor is probably the fact that those in West Timor who had voted in favour of autonomy — and let us not forget that more than 20 per cent of the East Timorese voted in favour of autonomy — may not wish to return to East Timor at the present time, or may not feel comfortable about doing so for one reason or another. One hundred twenty thousand have returned, and we may be reaching the point where some do not wish to return, at least in the immediate future.

We hope, however, that the working group whose establishment was agreed upon with the Indonesian authorities during the Special Representative's visit to Jakarta, and which will look at all these issues, can help improve the situation and enable us to move quickly towards a situation where we have more clarity as to the exact wishes and intentions of those who are left in West Timor, so that those who wish to return can indeed return in safe conditions and so that those who do not wish to return can be resettled elsewhere.

There was also a question by the representative of France regarding the strength of the United Nations peacekeeping force. We believe — and this is the assessment of all the experts concerned — that it is wise and prudent that the peacekeeping force taking over from the multinational force should be a strong, credible force, and that it should be endowed with a credible deterrent capacity. It will be smaller than the multinational force; when I visited East Timor at the end of November I was informed that the International Force, East Timor (INTERFET) had more than 11,000 troops in East

Timor. The United Nations force which will take over during February will have more than 8,000 troops.

But it is a fact that the security situation has improved, and we welcome this. We must, in this regard, pay tribute to INTERFET for the excellent work it has done to restore peace and security in the territory. If the present trend continues — and we have no reason to believe that it will not — certainly the Secretary-General will reassess the situation in due course and will not hesitate to come back to the Security Council with proposed reductions if he feels they can be safely undertaken. I can assure the Council that he will not wish to keep more troops in East Timor than are necessary to implement the mandate as foreseen in resolution 1272 (1999).

Finally, on coordination and division of labour regarding the implementation of the assistance that has been offered to East Timor, we have made an unusual effort to present to donors a comprehensive picture on the humanitarian assistance side, on requirements for administration and for creating a self-government capacity, and on longer-term reconstruction and development requirements. We have made an effort to present an integrated picture, and I can assure the Council that we will continue to do what we can to ensure proper coordination in the implementation of these programmes, to avoid, as much as we can, overlap and duplication among various agencies.

The President: I think it would be right on behalf of the whole Council to thank the Department of Peacekeeping Operations for its hard work on East Timor as part of the very considerable burden it is undertaking at the moment. I would also ask the Assistant Secretary-General please to convey to the Special Representative of the Secretary-General in East Timor, Mr. Sergio Vieira de Mello, and to his team our warm appreciation for what they have achieved thus far in the interim administration.

There are no further speakers on my list. The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 1.10 p.m.

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OFFICIAL COMMUNIQUÉ OF THE 4086TH MEETING OF THE SECURITY COUNCIL

Held in private in the Security Council Chamber at Headquarters, New York, on Thursday, 30 December 1999, at 10 a.m.

At its 4086th meeting, held in private on 30 December 1999, the Security Council considered Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999). The representatives of Austria, Bangladesh, Belarus, Belgium, Bulgaria, Croatia, Cuba, the Czech Republic, Denmark, Egypt, Finland, Germany, Greece, Hungary, Italy, Luxembourg, Norway, Pakistan, Poland, Romania, Singapore, Slovakia, South Africa, Spain, Sweden, The former Yugoslav Republic of Macedonia, Turkey and Ukraine were invited, at their request, to participate in accordance with rule 37 of the Council's provisional rules of procedure.

Mr. Vladislav Jovanovic was invited, at his request, to be seated at the Council table during the discussion.

The Permanent Observer of the Holy See to the United Nations was also invited, at his request, in accordance with the understanding reached in the Council's prior consultations, to participate.

The Security Council heard a briefing under rule 39 of its provisional rules of procedure by Mr. Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations.

The members of the Council made comments and posed questions in connection with the briefing. Mr. Annabi responded to the comments and questions posed by members of the Council.

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